

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

Mayor William Budesheim presiding.

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

MUNICIPAL CLERK READS CERTIFICATION OF ELECTION:

Municipal Clerk Carol Talerico read the certification of the determination of the November 8, 2005 General Election as follows:

NAME	OFFICE	TERM
Theodore J. 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.

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

INTRODUCTION OF NEWLY ELECTED OFFICIALS AND REMARKS BY SAME.

COUNCILWOMAN ELAINE WETZEL:

I want to thank you for your support and encouragement and I look forward to another three successful years working with this group.

COUNCILMAN THEODORE J. GUIIS:

I want to thank you for your support and encouragement and I look forward to another three successful years working with this group.

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

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

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, to appoint Robert Oostdyk as Borough Attorney.

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

RESOLUTIONS:

- 1) **Resolution No. 1-2006;** Councilman Guis offered the following resolution and moved its adoption, seconded by Councilman Astarita. Re: Official Legal Newspaper – Suburban Trends.

RESOLUTIONS (continued):

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

COPY OF RESOLUTION RE: LEGAL NEWSPAPER IN FULL PAGE NO. 2-A

- 2) **Resolution No. 2-2006;** Councilman Guis offered the following resolution and moved its adoption, seconded by Councilman Astarita. Re: Annual meeting schedule – 1st and 3rd Monday of each month at 7:30 p.m.

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

COPY OF RESOLUTION RE: SCHEDULED MEETINGS – MAYOR AND COUNCIL IN FULL PAGE NO. 2-B

- 3) **Resolution No. 3-2006;** Councilman Guis offered the following resolution and moved its adoption, seconded by Councilman Astarita. Re: Bank Signatures and Depositories.

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

COPY OF RESOLUTION RE: BANK SIGNATURES AND DEPOSITORIES IN FULL PAGE NO. 2-C

- 4) **Resolution No. 4-2006;** Councilman Guis offered the following resolution and moved its adoption, seconded by Councilman Astarita. Re: Delinquent Taxes.

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

COPY OF RESOLUTION RE: DELINQUENT TAXES IN FULL PAGE NO. 2-D

- 5) **Resolution No. 5-2006;** Councilman Guis offered the following resolution and moved its adoption, seconded by Councilman Astarita. Re: Local Public Contracts Law.

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

COPY OF RESOLUTION RE: LOCAL PUBLIC CONTRACTS LAW IN FULL PAGE NO. 2-E

- 6) **Resolution No. 6-2006;** Councilman Guis offered the following resolution and moved its adoption, seconded by Councilman Astarita. Re: Work Periods – Law Enforcement.

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

RESOLUTIONS (continued):

COPY OF RESOLUTION RE: WORK PERIODS – LAW ENFORCEMENT IN FULL PAGE NO. 3-F

7) **Resolution No. 7-2006;** Councilman Guis offered the following resolution and moved its adoption, seconded by Councilman Astarita. Re: Official Holidays – Borough Employees.

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

COPY OF RESOLUTION RE: OFFICIAL HOLIDAYS – BOROUGH EMPLOYEES IN FULL PAGE NO. 3-G

COUNCIL TO SELECT PRESIDENT OF COUNCIL:

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

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

MAYOR BUDESHEIM NAMES COUNCIL COMMITTEES:

Mayor Budesheim stated the 2006 Council Committees:

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

2006 APPOINTMENTS MADE BY MAYOR BUDESHEIM AND CONFIRMATION OF COUNCIL:

Mayor Budesheim read the names into the record of the 2006 Appointments.

Mayor Budesheim requested Council confirmation of the 2006 Appointments.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, for Council confirmation of the 2006 Appointments as listed.

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

COPY OF 2006 BOROUGH OF RIVERDALE APPOINTMENT LIST IN FULL PAGE NO. 3-H

REMARKS MADE BY MAYOR WILLIAM BUDESHEIM:

Much was accomplished by the Borough in the past year. We continue with the modernization upgrading of our various departments. The Police Patrol Car Replacement Program has been fully implemented, the Fire Department had a double wet down for the new engine and ladder truck, and the DPW has finally given up the ghost of the 1969 and 1987 trucks. The summer concerts paid for by business sponsors were a bigger success than the initial year. The ball field at Independence Park was dedicated to former Councilman George Koegler. He and his family arrived from Texas this year for a day of festivities. The Recreation Committee is providing more activities for the young and no-so-young members of our community bringing many people together to share in a good time. Our library is growing in popularity and activities continuously. It is fast becoming a focal point within the community which reflects the original intent of the original Board of Trustees. Post Lane was paved with the help of a \$150,000 state grant. Not only was the road paved but sidewalks, in many instances for the first time, were installed complete with Belgian block curbing. The final pieces of the funding puzzle for the Van Ness house were procured. The Borough received \$1,775,000 to match the previous year's \$575,000 for a total of \$2,350,000. Never before has the Borough received that amount of grants for any one project and it may be safe to say that it is probably greater than all the funding we have received over the past 30 years put together. The governing body is now in the publishing business by way of our new monthly newsletter. This four-page collection of news, advisories, events and announcements is paid for entirely by a monthly sponsor from the business community. And the best news of all is that all this was done without an increase in the borough's tax rate, nor an increase in the water and sewer rate. As a matter of fact, the sewer rates were reduced this year. What do we have to look forward to in 2006? The good news is that we are doing all that we can to ensure that there will be no increase in taxes again this year. In addition to the expansion of programs by the library, the recreation department, the summer concerts and so forth, implementation of new plans will be taking place. The improvement on Mathews Avenue, improvement of that road at the intersection of Hamburg Turnpike will be taking place. The water infrastructure will also be updated. The sewer line on Hamburg Turnpike will be extended from Mead Avenue to Post Lane completing that utility down the entire length of the turnpike. We are in the process of procuring an additional allocation of 250,000 gallons of sewer capacity from Lincoln Park. This will give us the needed capacity to offer sewers to most of the town. Some of the condos on Route 23 will begin to be finished sometime this year as well as the Wal-Mart shopping center. These projects will bring much welcome tax relief. Two other developments before the Planning Board are Target on Route 23 and the condos on Riverdale Road which will also contribute to further tax stabilization for our small community. As you can see, we have a lot happening this year. With everyone continuing to work together, this year will be as productive and fruitful as the previous year.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:15 p.m.

APPROVED:

William Budesheim, Mayor

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 7:15 p.m.

Mayor William Budesheim presiding.

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

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

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

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that no bids were received on December 28th for the 2000 Pontiac Grand Am police car. She reported receipt of the paperwork for the Open Space Trust Fund Grant. She also reported receipt of paperwork from Home Depot regarding application to have New Jersey motor vehicle statute made applicable to their private property. It will be forwarded to the Police Department for review and approval. She reported receipt of an e-mail regarding status update of pending open space properties. She asked the status of the Senior Community Center bid negotiations. Borough Engineer Darmofalski reported that negotiations are complete and he has a recommendation, however the money for the project will need to be increased. He also reported on the progress at Rock Creek and stated the as-builts have been started and they are paying for them.

RESOLUTIONS:

Mayor Budesheim stated that the Police Chief has requested Patrick McKay be appointed as full-time interim Police Dispatcher to replace Eric Hollenstein while he is in Iraq. He understands he will not be dispatching full time when Eric returns.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Astarita, to appoint Patrick McKay as a full-time Police Dispatcher at a salary of \$33,421.00 per year.

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

Mayor Budesheim reported he received a contract from Wayne regarding the proposed bike path and they are requiring us to provide \$10,000,000 in general comprehensive liability insurance. Borough Attorney Oostdyk explained that the county became involved and is requiring the municipalities to be secondary insurers. There was discussion regarding the status of the project and concerns with parking and liability.

WORKSHOP COMMITTEE REPORTS:

Councilman Carelli reported he would be meeting with Chief Financial Officer Ken Sesholtz on Saturday to begin working on the budget.

Councilman Astarita reported he would be meeting with the library regarding the cleaning situation and leak repairs. There was discussion regarding additional leaks in the municipal building.

Councilwoman Bush reported that they would like to implement a uniform personnel appraisal system. There was discussion regarding the use of a form for employee evaluations.

PUBLIC PARTICIPATION NO. 2:

Police Chief Soules asked if dispatcher Patrick McKay would be entitled to health insurance benefits. Mayor Budesheim stated that he would as a full-time employee.

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

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

ADJOURNMENT (1):

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

ALL IN FAVOR.

Adjourned: 7:38 p.m.

The workshop meeting of the Borough of Riverdale Mayor and Council reconvened at 7:40 p.m.

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

Assistant Fire Chief Mike Norton presented a letter to the Governing Body from Chief Cleary regarding the purchase of a command vehicle for the Assistant Chief. Councilwoman Wetzel questioned the use of the vehicles personally and asked why they could not use one vehicle. It was stated that they have been allowed to use the vehicles within a 10 mile radius of Riverdale. After discussion it was agreed that the vehicle would be put in the 2006 Capital/amend Bond Ordinance. Ordinance would be introduced at the January 16th meeting. After the 20 day estoppel period the vehicle could be purchased – around March 6, 2006.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Carelli, to include the purchase of a command vehicle for the Assistant Fire Chief in the amendment of the Bond Ordinance.

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

ADJOURNMENT (2):

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

ALL IN FAVOR.

Adjourned: 8:20 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

The regular meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:45 p.m. with the Pledge of Allegiance.

Mayor William Budesheim presiding.

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

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

APPROVAL OF MINUTES DATED:

December 19, 2005 - Regular Meeting
 December 30, 2005 - Special Meeting
 January 3, 2006 - Reorganization Meeting
 January 3, 2006 - Workshop Meeting

Councilman Falkoski stated the minutes of the Workshop Meeting on January 3rd contain a motion to include the purchase of a command vehicle for the Assistant Fire Chief in the Bond Ordinance. He stated that the vehicle is intended for the Fire Chief and the Assistant Chief will get the vehicle the Chief has now. He hoped the resolution does not authorize the purchase of that vehicle. Mayor Budesheim stated that it did not. Councilman Carelli stated that the resolution was to show our intent to purchase the vehicle.

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

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

APPOINTMENT OF JOSEPH MC DERMOTT AS POLICE OFFICER

Mayor Budesheim stated that a growing number of our police officers have roots in Riverdale and ties that bind them to the community. Tonight another man who grew up in town and attended the local schools is joining our force. He earned a bachelors degree from William Paterson University, has completed training at the Morris County Police Academy and has been working for the New Jersey State Park Police since August of 2004. He stated that it is with pride and great pleasure to offer the name of Joseph McDermott as police officer.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, to approve the appointment of Joseph McDermott as Police Officer in the Riverdale Police Department.

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

Borough Attorney Robert Oostdyk swore in Joseph McDermott as Police Officer in the Riverdale Police Department.

PUBLIC PARTICIPATION NO. 1:

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

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

RESOLUTIONS:

Councilman Falkoski stated that Patrolman Travis Roemmele has completed his one-year probation and the Chief has recommended he be moved to a permanent position on the force.

Councilwoman Wetzel stated that it came to her attention that there is a New Jersey Recreation and Park Association (NJRPA). They are holding their 31st annual conference and expedition on March 19, 20 and 21, 2006 and she would like approval for Recreation Committee Chairman June Carelli and another representative to attend March 20th and 21st. The total cost is \$875 including a one-time \$80 NJRPA membership fee.

Councilman Falkoski stated the re-bidding for the 2000 Pontiac Grand Am should be better advertised. Councilman Guis stated the best way is to park the vehicle in the Municipal lot with a sign. There was discussion regarding the minimum bid amount. Councilman Falkoski then asked the reason for changing the meeting of September 5, 2006 to September 6, 2006. Mayor Budesheim replied there is court on September 5th.

Councilman Guis stated that the probationary period has ended for DPW employees Joseph Perillo and Robert Nichols and their rate should be increased to \$13.00 per hour effective February 1st.

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

- 1) Payment of Claims.
- 2) Approval of escrow payments for various engineering fees as follows:

a) Paul Darmofalski, P.E.	K&K Developers	\$ 5,475.00
b) Paul Darmofalski, P.E.	D.R. Horton	\$11,257.00
c) Paul Darmofalski, P.E.	Beazer Homes	\$ 1,130.00
- 3) Approval of payments for the Recreation Program as follows:

a) T&K Tours	Busing Theatre Trip	\$ 500.00
b) NJPAC	Theatre Trip "Chicago"	\$ 2,850.00
c) Holiday Bowl	Bowling Event 01/28/06 (up to)	\$ 2,000.00
d) Porta's Karate	Karate Program (up to)	\$ 700.00
e) Mary Wolbach	Refreshment reimb. (Bonfire)	\$ 38.32
- 4) **Resolution No. 16-2006;** Transfer of Appropriation Reserves.
- 5) **Resolution No. 17-2006;** Emergency Temporary Appropriations.
- 6) **Resolution No. 18-2006;** Refund of Tax Overpayments.
- 7) **Resolution No. 19-2006;** Authorizing entry into the 2006 McARP Program.
- 8) Resolution to authorize the payment of LOSAP entitlement from 2003 for Joseph Paulhus.
- 9) Resolution to approve the purchase of a Jet Vac for the DPW upon funds being available not to exceed \$25,000.
- 10) Resolution to memorialize the salary increment for Joseph McDermott, new hire in the police department appointed on December 19, 2005 to include in the record that his starting salary as a police officer was approved at the second six month probationary period level.

RESOLUTIONS (continued):

- 11) Resolution to authorize Mayor Budesheim to execute the 2005 Morris County Open Space Trust Fund grant agreement "Land Acquisition on Hamburg Turnpike".
- 12) Resolution to declare Fire Department vehicle #35 VIN# 1G1BL52PXTR140251 as no value to the Borough and to be disposed of as scrap.
- 13) Resolution to authorize the re-bidding of the 2000 Pontiac Grand Am with a minimum bid of \$3,500. (Advertise 01/22/06; receive bids on February 2, 2006 at 10:00 a.m.)
- 14) Resolution to re-schedule the Mayor & Council workshop meeting of Tuesday, September 5th to Wednesday, September 6th.
- 15) **Resolution No. 8-2006;** Approval of 2006 Professional Agreement with Johnson, Murphy, Hubner et al. (Robert Oostdyk, Esq.) All necessary documents have been received by the Municipal Clerk as provided by law.
- 16) Resolution to appoint Travis Roemmele to a permanent position on the police force having completed his one-year probation as of January 16, 2006.
- 17) Resolution to authorize Recreation Committee Chairperson June Carelli and one other committee member to attend the New Jersey Recreation and Park Association convention on March 20th and 21st for a total cost of \$875.
- 18) **Resolution No. 20-2006;** Authorizing a Profession Services Agreement between the Borough of Riverdale and Hanson Engineering.
- 19) Resolution to increase the salary of DPW Utility Workers Joseph Perillo and Robert Nichols to \$13.00 per hour effective February 1, 2006 after having completed the probation period.
- 20) **Resolution No. 15-2006;** Temporary Capital Budget

ROLL CALL: **Ayes: Wetzel, Guis, Astarita, Carelli, Falkoski**
 Nays: None
 Abstain: Carelli (Resolution No. 17 only)
 (5 ayes – 0 nays – motion carried)

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 9-A, B, C, D, E, F, G AND H.**CORRESPONDENCE:**

- 1) Resignation of David H. Giegold from the DPW department effective January 19, 2006.

Councilman Guis set for the motion, seconded by Councilman Falkoski, to accept the resignation of David H. Giegold from the DPW department.

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

ORDINANCES:

Councilman Falkoski asked if there was a possibility that the county would not come through with the funding. Borough Attorney Oostdyk stated that would not be possible, as the Mayor will sign a contract with the county. Councilman Carelli stated we are bonding the full amount and will be reimbursed from Green Acres and county funding.

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

ORDINANCE 1-2006

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF PROPERTY IN AND BY THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$2,700,000 THEREFOR, INCLUDING \$1,200,000 EXPECTED TO BE RECEIVED FROM THE COUNTY OPEN SPACE FUND AND AUTHORIZING THE ISSUANCE OF \$1,428,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

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

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

ORDINANCE 2-2006

BOND ORDINANCE OF THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY, AMENDING IN ITS ENTIRETY BOND ORDINANCE NO 11-2004 FINALLY ADOPTED MAY 3, 2004.

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

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

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

ORDINANCE 3-2006

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF SEWER ALLOCATIONS IN AND BY THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$6,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

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

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

ORDINANCE 4-2006

ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 41, LOT 1.01, FROM ROUTE 23 ASSOCIATES, L.L.C.

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 11-L

Councilman Carelli asked for clarification of ordinance 5-2006. Mayor Budesheim explained the change in the FAR requirement. Borough Attorney Oostdyk stated this ordinance is based on the recommendation of our Planning Board Attorney.

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

ORDINANCE 5-2006

**ORDINANCE AMENDING CHAPTER 168 OF THE REVISED GENERAL
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND ELIMINATING
 THE FAR REQUIREMENT FROM THE HB-1 HIGHWAY BUSINESS
 DISTRICT**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 12-M

Councilman Falkoski questioned the resolution of the monies that were owed on the property specified in Ordinance 6-2006. Mayor Budesheim stated we arrived at an agreement whereby all back taxes and about half the sewer money owed would be paid.

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

ORDINANCE 6-2006

**ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE
 PURCHASE OF BLOCK 3, LOT 25, FROM TAURUS MANAGEMENT, L.L.C.**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 12-N

Mayor Budesheim stated that of the \$9,000,000 authorized debt, approximately \$7,000,000 will be reimbursed to the borough through grants and purchase of sewer allocation.

COUNCIL SELECTS REPRESENTATIVE TO PLANNING BOARD:

Councilman Falkoski stated that the Council did not appoint a member to the Planning Board at the reorganization meeting.

Thereupon, Councilman Guis offered the name of Joseph Falkoski as Council Representative to the Planning Board; motion seconded by Councilwoman Wetzel.

COUNCIL SELECTS REPRESENTATIVE TO PLANNING BOARD (continued):

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

BOROUGH CLERK REPORT:

No report.

BOROUGH ATTORNEY REPORT:

No report.

MAYOR REPORT:

Mayor Budesheim reported the names of Riverdale O.E.M. Emergency Plan Annex Responsibility.

LIST OF O.E.M. EMERGENCY PLAN ANNEX RESPONSIBILITY IN FULL ON PAGE NO. 13-O**COMMITTEE REPORTS:**

Councilman Carelli reported that he met with Chief Financial Officer Ken Sesholtz to review the capital ordinances and finalize the salary proposals. He stated that salary ranges need to be reviewed and some of the increases requested by the court are significant.

Councilman Falkoski thanked the Council for electing him Council President at the reorganization meeting. He reported that he met with the Police Chief to review the department operating budget and capital budget. He stated it is a fair budget and addresses the items of greatest priority. He reported receipt of the Fire Department budget along with their capital budget. He reported the Municipal Court Report for the month of December. He then suggested the Council make a policy to recognize the people who have served on various boards in the community and are no longer doing so. Mayor Budesheim suggested presentation of a certificate to each of those people.

Councilman Falkoski then commented on the table of organization the Mayor had e-mailed to the Council. He stated that Riverdale does not have an administrative code or bylaws, an administrator or an ordinance in place to establish such a position. He stated that the Council has statutory responsibility that if the position of administrator were to be established the flow would be to the Council and Mayor. This chart indicates the Council not in the loop at all. He asked whether establishing this table of organization is circumventing the statute that defines the powers of the Mayor versus the powers and responsibilities of the Borough Council. He stated his concern that doing so would create an organization that could easily be subject to abuse. Borough Attorney Robert Oostdyk stated his comments are valid. He stated that the chart itself would not determine the chain of authority. He said that without an administrator under this form of government the Mayor functions as the administrator, and the chart reflects a separate position that we do not have. Mayor Budesheim stated the reason the Tax Collector is under the Borough Clerk was merely to keep track of her hours and make sure she's performing her duties. He stated the Borough Clerk is part of this Governing Body as Clerk. He said it was to show a way the department heads could have a contact during the day for a chain of command. He also stated we have a set of bylaws that were adopted in the 1950's. Councilman Falkoski asked the purpose of the newly formed Vehicle Procurement and

COMMITTEE REPORTS (continued):

Maintenance Committee. Mayor Budesheim stated it would make it easier for maintenance and to budget the money for vehicles.

Councilman Guis reported two of the newly hired DPW workers have resigned and we are advertising for replacements. He reported that the Jet Vac unit authorized for purchase for the DPW would be used for cleaning sewers and catch basins to implement the new stormwater regulations.

Councilwoman Wetzel reported that on January 26th she and the Mayor would be meeting with representatives from LaGuardia to discuss the summer concert series which will probably be on Wednesdays. She also stated she would start planning the street fair with a tentative date of September 23rd. There was discussion regarding the JCPL property for the ice skating rink next year. Councilwoman Wetzel reported the Board of Health has officially changed their meetings to the fourth Tuesday of the month.

Councilman Astarita stated that Community Development had not received the official appointments from Riverdale. The Borough Clerk will submit the official list. Councilman Astarita reported receipt of e-mail from Abby Sanner at the library indicating an aggressive cleaning plan. The cost obtained from an outside service was \$280 per month. There was discussion regarding using an outside cleaning service versus the DWP. Councilman Guis stated he would review the cleaning plan with Councilman Astarita and the DPW Superintendent.

Councilman Falkoski stated there is a section of the jug handle by Cotluss Road that was not plowed during the last storm. It was determined after discussion that section of road is the Borough's responsibility and the new employee plowing may not have been aware.

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:45 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

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

Mayor William Budesheim presiding.

ROLL CALL: Present: Bush, Wetzel, Guis, Astarita, Carelli, 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:

Mayor Budesheim stated members of the Pompton Lakes/Riverdale First Aid Squad were present to discuss their budget.

Mark Sonne of the First Aid Squad reported on the increase in calls to Riverdale in the past few years and concerns regarding the new developments going up now. He stated that the New Jersey First Aid Council is starting to keep track of the type and number of calls and certification requirements are increasing. He described the difficulties in recruiting volunteer members. He stated approximately 50% of the calls received by the squad are from Riverdale. Last year Riverdale gave \$25,000 for their operating budget. There was discussion regarding the squad's various expenses and the \$10,000 audit fees required if the amount spent through their account is over \$100,000. Their current operating budget is approximately \$110,000. There was discussion regarding the possibility of providing gas cards, paying certain utilities or direct donation of certain items to keep the budget under \$100,000. The First Aid Squad will check with the auditors to determine what can be legally done and report back with additional budget information.

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

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

ORDINANCES:

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

ORDINANCE 01-2006

BOND ORDINANCE PROVIDING FOR THE PURCHASE OF PROPERTY IN AND BY THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$2,700,000 THEREFOR, INCLUDING \$1,200,000 EXPECTED TO BE RECEIVED FROM THE COUNTY OPEN SPACE FUND AND AUTHORIZING THE ISSUANCE OF \$1,428,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

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

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

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

ORDINANCES (continued):

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

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Falkoski, **RESOLVED** that Ordinance No. 01-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 15-A

2) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 02-2006**BOND ORDINANCE OF THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY, AMENDING IN ITS ENTIRETY BOND ORDINANCE NO. 11-2004 FINALLY ADOPTED MAY 3, 2004**

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

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

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

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 02-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 15-B

3) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 03-2006**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF SEWER ALLOCATIONS IN AND BY THE BOROUGH OF RIVERDALE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$6,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

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

ORDINANCES (continued):

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

Mr. Batelli questioned if this was the allocation to be purchased from Lincoln Park. Mayor Budesheim stated that it was.

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

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

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, **RESOLVED** that Ordinance No. 03-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 16-C

4) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 04-2006**ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 41, LOT 1.01, FROM ROUTE 23 ASSOCIATES, L.L.C.**

Borough Attorney Oostdyk stated a problem has arisen with the purchase of this property. The property appears to be burdened with DEP regulations that will prevent us from putting the type of driveway that we need in order to utilize it. He recommended the ordinance be denied.

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

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

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

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

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 04-2006 as read on second reading at this meeting, be denied.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 16-D

ORDINANCES (continued):

5) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 05-2006**ORDINANCE AMENDING CHAPTER 168 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND ELIMINATING THE FAR REQUIREMENT FROM THE HB-1 HIGHWAY BUSINESS DISTRICT**

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

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

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

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED** that Ordinance No. 05-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 17-E

6) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 06-2006**ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 3, LOT 25, FROM TAURUS MANAGEMENT, L.L.C.**

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

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

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

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

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Carelli, **RESOLVED** that Ordinance No. 06-2006 as read on second reading at this meeting, be adopted and finally passed.

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

ORDINANCES (continued):**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 18-F****RESOLUTIONS:**

Councilwoman Wetzel asked if the salary increase in resolution No. 5 was due to a promotion. Councilman Guis stated there had been a resolution of intent and he was promoted from Senior Utility Person to Foreman. Councilman Falkoski stated that the increase is over 20% and he did not remember discussing it. Councilman Carelli stated it is a 17.8% increase over the amount we are thinking of giving the employees this year. There was disagreement as to whether the salary had been previously discussed at a meeting. Councilman Guis stated this amount was discussed in the Fall. Borough Clerk Talerico stated the minutes were checked and there was discussion regarding the position but no salaries were discussed. Councilman Falkoski stated he is concerned that we are setting a precedent by giving such a large increase for moving up one position. Councilwoman Bush stated the reason for the salary is that it is appropriate for the position of Foreman in Morris County.

Councilman Falkoski questioned resolution No.6. Councilman Guis stated that with the raise \$125 per day is less than 4 hours overtime that Steve or Walter are currently paid. He stated that Steve is on standby 98% of the time but they plan to use the new Utility Person once he attends water school. His current salary is \$13.00 per hour. Councilman Guis stated they do work approximately 1 to 1-1/2 hours on those weekends and have to stay within ½ hour of the pumphouse. Councilman Astarita stated \$250 a weekend is a lot of money and the Superintendent of Public Works and management should not get paid overtime. Councilman Guis stated that if we don't pay for standby and they both leave for the weekend we have no one to handle an emergency. He also said that every other town pays more than 4 hours and he feels it is the most cost effective way to maintain that protection for an emergency. Councilwoman Wetzel stated we are paying a lot of money for a possible emergency. She stated that she knows we had discussed the position and the reasons for standby but she does not remember discussing these numbers and they are very high. After further discussing the matter it was decided to pay 4 hours overtime up to a maximum of \$125 per day.

Councilman Falkoski commented on resolution No. 2 stating that he accepts blame for the occurrence. He said when he received the call stating that the car could be utilized by the Construction Department he said he had no problem, and he should have stated that it would be put on the table for discussion at our next meeting. He apologized to Borough Clerk Talerico and the Council for the manner in which it was handled. Councilman Astarita stated it was a unanimous decision to put the car for award and it seems it was a decision by two people to label the car for the Building Department. Borough Clerk Talerico stated she was put in a precarious situation because she had advertised the bid based on a unanimous decision of the governing body. She consulted the Borough Attorney and the decision was made not to open the bids received and the governing body would decide at the next meeting whether they would put the car out for bid. Councilman Astarita asked why the Building Department needs a third vehicle. Mayor Budesheim stated the Tahoe is not expected to last much longer and we have four inspectors. Councilman Guis stated that we had it in the budget for another all-wheel drive SUV and the Building Inspector said the Grand Am would be fine now. Councilman Astarita stated his concern is that someone made a decision to label the vehicle against the Council's motion without coming back to the Council. Councilman Falkoski apologized for getting caught up in the culture of expediency. Borough Attorney Oostdyk stated we have the ability to reject all bids because circumstances have changed and that decision should come from the governing body. Councilman Astarita asked if this high mileage vehicle was likely to need expensive repairs in a few months from being driven at construction sites. He suggested the office personnel should use it.

RESOLUTIONS (continued):

Councilman Guis stated it should last. Councilwoman Wetzel stated we are getting closer to having a vehicle for each person in the Construction Department. She stated she doesn't like the way it was done and is opposed to accommodating this department again with another vehicle. Councilman Falkoski suggested that an older vehicle be used by construction and use this one at the borough hall. Councilman Guis stated no others were available.

Borough Clerk Talerico reported five additional bills received from JCP&L today to be approved for payment. She also received the contract from the Borough Attorney for the purchase of the Van Ness tract from Taurus Management.

MAYOR REPORT:

Mayor Budesheim stated the Armory has asked for permission as a courtesy to land a helicopter during their open house on February 26th. He also requested we get the meter numbers for Rock Creek street lighting to transfer the accounts. He stated to the Borough Attorney that it was not clear in the Quarry Ordinance whether the \$500 for night paving is per night or per job. He would like it to be each time. He then stated Bob Amelung is no longer maintaining our new website and he would like to get a proposal from AHR Consulting. Mayor Budesheim reported there is a building available on North Corporate Drive that is an ideal location for the Municipal Building. It is large enough that we could have everything under one roof including the library and recreation center. He said we could sell the municipal buildings and library and pay for the construction. The next step would be to get appraisals and decide if we want to proceed.

Mayor Budesheim reported on the award of bid for the Senior Community Center. Site preparation will be awarded to Mike Fitzpatrick and Sons for \$202,240.00. The building will be awarded to Storer Construction for \$669,950.00.

Mayor Budesheim stated that we would be receiving a proposal from an architect to evaluate the proposal for the condos on Riverdale Road. He said Mr. Clemak recommended the firm and TCR escrow will cover the cost.

CORRESPONDENCE:

- 1) From the Morris County Community Development regarding the Sr. Center Construction and Sewer Extension Projects stating that their office had been notified by Paul Darmofalski that the Borough of Riverdale would be providing additional funding at the municipal level in order to complete the Senior Housing activity. Community Development is asking that a current status of this activity be provided. All activities in which monies have been expended must clearly indicate a measurement of performance. With regard to the sewer extension this office is awaiting receipt of the bid package for review and approval, and we are also aware that approvals must be obtained by the NJDEP for the treatment works approval.
- 2) From Paul Darmofalski regarding the Riverdale Community Center Engineering Fees stating that the initial Engineering Budget of \$30,000 was estimated based on preparing plans and specifications for one bidding. When the bids submitted were substantially over budget the project was re-bid. This incurred more expense for this office. The second bid was again over budget and a decision was made to negotiate with contractors for the project. This office is requesting an addition budget of \$5,000 for administration of this project.
- 3) From Morris County MUA stating that the MCMUA has recently established a new category of open space projects for consideration of funding. Eligible

properties would include land needed for the protection of critical water supplies such as areas surrounding municipal wells, wellhead protection areas, aquifer recharge areas or watershed areas.

- 4) From the State of New Jersey DEP stating the Green Acres Program has assisted municipalities and counties in the acquisition of open space for recreation and conservation purposes, as well as the development of outdoor recreational facilities. Green Acres is committed to preserving New Jersey's natural resources statewide. Eligible land acquisition projects include the purchase of natural areas, historic sites, conservation areas, water bodies, and open space for active or passive recreation purposes.
- 5) From the Pompton Lakes/Riverdale Little League requesting permission to use the Riverdale baseball/softball fields located in Independence Park from late March to early July, 2006.
- 6) From the Pompton Lakes/Riverdale Soccer Association requesting permission for the use of the Independence Soccer Field, Monday through Friday from 3:00 p.m. through dark and all day Saturday and Sunday, starting Saturday, March 4, 2006 through Sunday, June 25, 2006.

Councilwoman Wetzel requested a copy of this correspondence be forwarded to Shawn Dougherty for scheduling. There was discussion regarding wear and tear on the fields and possibly charging for use of the fields in the future.

- 7) From the State of New Jersey Department of Community Affairs regarding the Relocation Assistance Program, which is administered by the Division of Codes and Standards of the New Jersey DCA. When a municipality decides that a tenant, resident, or business owner must leave their dwelling or place of business, the municipality must send a plan, called a Workable Relocation Assistance Plan (WRAP), to the State. Due to this a Relocation Officer must be appointed by the Governing Body and notify the DCA of the name of this individual.
- 8) From the PRBRSA advising that the Borough will soon be receiving a copy of the PRBRSA as well as the TBSA Wastewater Management Plan Update as filed with the NJDEP's Division of Watershed Management on December 23, 2005. To assure the information contained in the WMP Update is correct, we encourage the Borough to have its staff and consultants review it and advise if there is any need to revise the report.
- 9) From Robert Oostdyk, Borough Attorney advising that Governor Codey recently signed into law PL 2006, c 269, which increases the authorized maximum penalty for a municipal ordinance violation to \$2,000. In order to implement the new maximum penalty for ordinance violation, it is necessary that the Borough adopt an ordinance setting the new maximum. The statute also contains a new provision which requires that municipalities which authorize penalties in excess of \$1,250 for zoning or housing violations to also require that the owner be given a thirty day opportunity to cure or abate the condition prior to the higher fine being imposed.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reminded everyone the next Mayor and Council meeting will be on Wednesday, February 22nd due to the Presidents' Day holiday. She distributed information to the governing body from the auditor. She reported Pompton Lakes Mayor and Council are asking Riverdale to contribute towards their background checks for coaches and supervisors or the youth programs. She also asked the Borough Attorney for clarification of the snow removal Ordinance 02-1998 regarding the amended dates for street parking.

WORKSHOP COMMITTEE REPORTS:

Councilman Guis reported the band shell would be more expensive than first thought, about \$50,000. There was discussion regarding possible contributions from corporations or developers for the project.

Councilwoman Wetzel reported on the meeting with LaGuardia Associates for the summer concert series. The schedule will be six Wednesdays beginning July 12th. The street fair will be Saturday, September 9th and she has been investigating the use of a promoter for the event.

Councilman Astarita reported he met with Scott Robert to inspect the library and we will get his proposal within a week.

Councilwoman Bush reported that they would be making changes to the personnel manual to reflect legal requirements if an employee leaves prior to a full year of employment. Borough Clerk Talerico stated that department heads also need guidance determining when personal days have accrued for new employees. The Borough Attorney will review the matter.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported on the pending Dube litigation. He stated the longer it goes on the more it will cost. We are at a point where it has to be tried and we have to start paying a planner to testify. He asked the property owner to consider whether they would be a willing seller if Green Acres were willing to fund the acquisition. There would then be no point in litigation. Today the owner responded that he would be willing as long as the price is fair. We would have to get a Green Acres certified appraiser to determine the value. If he accepts the value Ella Philipone has stated we would be in line for a Green Acres funded acquisition of the property. There was discussion regarding the matter and the consensus was to proceed with obtaining an appraisal of the property.

RESOLUTIONS (continued):

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

- 1) Resolution to approve the payment of the following claims:

a)	\$150.00	Reno's Appliance	Refrigerator Nurses Office
b)	\$167,235	PRBRSA	1 st Qtr. Sewer Payment
c)	\$45.00	BJ's	Renewal Membership
d)	\$196.95	JCP&L	December Electric
e)	\$215.03	JCP&L	December Electric
f)	\$264.82	JCP&L	December Electric
g)	\$1,542.66	JCP&L	December Electric
h)	\$182.46	Elmwood Supply	Replace Police Door
i)	\$995.54	JCP&L	December Electric
j)	\$738.92	JCP&L	December Electric
k)	\$268.95	JCP&L	December Electric
l)	\$319.13	JCP&L	December Electric
m)	\$292.70	JCP&L	December Electric
- 2) Resolution to reject all bids for the Pontiac Grand Am put out for bid on February 2, 2006, and to keep the vehicle for building department use.
- 3) Resolution to increase the purchase proposal threshold to \$4,350.00, therefore allowing all individual purchases or projects below this amount to be purchased without acquiring three proposals.

- 4) Resolution to appoint April Ann Vicari effective 2/1/06 and Thomas Griswold effective 2/5/06 as full time DPW employees at a rate of \$12.00 per hour pay.
- 5) Resolution to approve a salary increase for Steve Schotanus, to \$50,000 per year effective January 1, 2006.
- 6) Resolution to approve payment of weekend pump house standby pay for the DPW department at 4 hours overtime per day up to a maximum of \$125 per day.
- 7) Resolution to authorize the submittal of a grant application for \$2,500 DARE Program, and authorizing the Mayor to submit a letter with application guaranteeing a \$2,500 cash match to be carried in the Municipal Budget.
- 8) Resolution authorizing Mayor Budesheim to execute the purchase agreement to purchase the Van Ness tract from Taurus Management, L.L.C. in the amount of \$2,600,000.
- 9) Resolution to authorize the purchase of an 8 x 12 shed at a cost of \$300 from Gregory Post to be placed by the borough garage for use by the summer recreation program.
- 10) Resolution to start the appraisal of three municipal buildings and the 55,000 sq. ft. building located at 2 Corporate Drive.
- 11) Resolution authorizing \$5,000 additional Engineering Budget for the Riverdale Community Center project.
- 12) Resolution authorizing an appraisal for Dube property Block 12, Lot 1.

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

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 10:15 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

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

Mayor William Budesheim presiding.

ROLL CALL: **Present:** **Bush, Wetzel, Guis, Carelli, 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: January 16, 2006 - Regular Meeting

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

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

APPROVAL OF MINUTES DATED: February 6, 2006 - Workshop Meeting

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

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

PUBLIC PARTICIPATION NO. 1:

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

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

RESOLUTIONS:

Councilman Falkoski referenced resolution No. 5 and asked what we would be able to do with the information we receive once the site plan approval is granted. Mayor Budesheim stated we have no control over many of the architectural at the planning board level but we could interject in the developer's agreement.

Borough Clerk Talerico stated resolutions No. 14 and 15 are to authorize payment of interest to the Board of Education.

Councilman Falkoski stated the cost to purchase the radio equipment for the fire department vehicle is \$3,609.70.

Mayor Budesheim stated the Morris County Soil Conservation District has trees for sale and he would like to purchase eight for Appelt Park at a total cost of \$235.00.

There was discussion regarding the budget of the Pompton Lakes First Aid Squad and the donation of gas cards for the vehicles.

RESOLUTIONS (continued):

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

- 1) Payment of Claims.
- 2) Approval of escrow payments for various engineering fees as follows:

a) Paul Darmofalski, P.E.	-	K&K Developers	\$ 4,305.00
b) Paul Darmofalski, P.E.	-	D.R. Horton	\$ 10,380.00
c) Paul Darmofalski, P.E.	-	Beazer Homes	\$ 1,330.00
d) Anderson & Denzler Assoc.	-	Beazer Homes	\$ 66.00
e) Anderson & Denzler Assoc.	-	D.R. Horton	\$ 6,985.79
f) Anderson & Denzler Assoc.	-	D.R. Horton	\$ 5,192.48
g) Anderson & Denzler Assoc.	-	Riverdale Crossing	\$ 2,966.36
h) Anderson & Denzler Assoc.	-	Riverdale Crossing	\$ 4,216.23
- 3) **Resolution No. 21-2006**; Refund of Tax Overpayments.
- 4) **Resolution No. 26-2006**; to authorize Mayor Budesheim to endorse the Emergency Services System Agreement with the County of Morris for the year 2006, at a cost of \$11,874.08 for the year. (Copy distributed to Governing Body)
- 5) **Resolution No. 22-2006**; to award proposal for Architectural Services to Hatch Mott MacDonald for the aesthetic review of the proposed Trammell Crow Residential development on Riverdale Road. (copy of proposal distributed to Governing Body)
- 6) Approval of previously numbered resolutions for professional services not approved due to completion of required paperwork:
 - a. **Resolution No. 9-2006**; Darmofalski & Associates (Paul Darmofalski, P.E.) – Professional Engineering Services.
 - b. **Resolution No. 10-2006**; John L. Kraft, Esq. L.L.C. – Bond Counsel Services.
 - c. **Resolution No. 11-2006**; Anderson & Denzler Associates (William Ryden, P.E.) – Sewer/Water Engineering Services.
 - d. **Resolution No. 12-2006**; Dickinson, Vrabel & Cassells, P.A. (Vincent Montanino, R.M.A.) Auditing Services.
 - e. **Resolution No. 13-2006**; Richard Clemack, Esq. – Legal Services – Tax Appeals.
 - f. **Resolution No. 14-2006**; John Barbarula, Esq. – Legal Services – Planning Board. (Copy of proposals distributed to Governing Body).
- 7) Resolution to approve the release of Cash Bond of \$3,200 for the Riverdale Self Storage Center. (release has been approved by Borough Engineer)
- 8) Resolution to approve two (2) curb cuts for a new home built at 16 Cotluss Road, by owner John C. Spenillo. (Copy of correspondence and drawing distributed to Governing Body).
- 9) Resolution to approve the purchase of equipment for two (2) new police vehicles purchased in 2005 and due to be delivered. The purchase is equip a Dodge Charger and a Chevy Impala for a total cost of \$10,094.63 to be paid for out of the Bond Ordinance for Purchase of Equipment for Police/Administration Departments.
- 10) **Resolution No. 23-2006**; authorizing professional services agreement between the Borough of Riverdale and Holzhauer & Hostenstein, LLC for the appraisal of the Dube Property at Block 12, Lot 1, in the amount not to exceed \$3,200.00.
- 11) Resolution to authorize Mayor Budesheim to execute an “Access Conforming Lot Permit” for the Target project on Route 23 as required by the State D.O.T. so that a permit may be issued to the developer for access to State Highway Route 23.
- 12) **Resolution No. 24-2006**; “Green Acres Enabling Resolution” authorizing Mayor Budesheim to endorse the Van Ness House Acquisition Grant Agreement with the State of New Jersey DEP with a total amount of funding of \$1,150,000.
- 13) **Resolution No. 25-2006**; Resolution authorizing the Chief of Police, Thomas Soules, to enter into a “Memorandum of Understanding” with the County of Morris for access to the Morris County Integrated Justice Information System (MCIJIS).
- 14) **Resolution No. 27-2006**; Emergency Temporary Appropriations
- 15) Resolution to approve interest payment to the Board of Education in the amount of \$7,689.33.
- 16) Resolution to authorize the purchase of equipment for fire department vehicle in the amount of \$3,609.70.

- 17) Resolution to authorize the purchase of eight trees for the Shade Tree Commission for a total of \$235.
- 18) Resolution to approve three gas cards for the Pompton Lakes First Aid Squad rigs and utility vehicle.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 25A, B, C, D, E, F, G, H, I, J, K,L,M AND N.

CORRESPONDENCE:

- 1) Receipt of PLFAS Riverdale Street Call Summary 2005, as requested by the Governing Body at the Workshop Meeting. (Distributed to Governing Body via e-mail)
- 2) Letter from State of NJ Department of Community Affairs regarding the Relocation Assistance Program (WRAP) and the state requirement for each municipality to appoint a "Relocation Officer". (Distributed at 02/06/06 Workshop meeting – but not addressed)

Borough Clerk Talerico stated it appears that the requirement is mandatory. Borough Attorney Oostdyk stated that the landlord is responsible to pay relocation assistance to a tenant if evicted for enforcement and we do not need to appoint a Relocation Officer.

- 3) From the George P. Siek Tri-Boro Post No. 8096 – VFW inviting the Governing Body to their breakfast on April 23, 2006 from 7:30 a.m. until 12 noon. (2 complimentary tickets have been received for this event)

There was discussion regarding holding Memorial Day services on the front lawn of the municipal building.

BOROUGH CLERK REPORT:

No report.

BOROUGH ATTORNEY REPORT:

No report.

MAYOR REPORT:

Mayor Budesheim reported that we would be closing on the Van Ness property in the next few weeks and he would like to have an appropriate ceremony on March 25th at 11:00 a.m. It was decided the governing body would attend the open house at the Armory on Sunday at 10:00 a.m. The Mayor then stated that 37 out of 39 towns in Morris County are involved in the Municipal Alliance Initiative and asked if anyone was interested in participating. There was discussion regarding the requirements. Councilwoman Bush will call for more information. Mayor Budesheim then reported that the County is having a budget hearing for the municipalities on Wednesday, March 8th at 6:00 p.m. He then stated that we also have to work on the sewer infiltration as our sewer budget went up \$160,000 this year due to infiltration. He reported that Jerry Roessler of the Morris County Planning Department called regarding the bike path. They want Riverdale to be the starting point and want to meet to address our concerns. There was discussion regarding the matter and it was agreed our concerns are still parking and insurance.

COMMITTEE REPORTS:

Councilman Falkoski reported the Police Activity and Zoning Officer Report for the month of January and the Fire Chief Report for November and December 2005. He reported on “e-dispatch” to allow firefighters to be alerted to alarms via their cell phones at a cost of \$4.99 per month. He reported the Municipal Court Report for the month of January. He then reported that dispatcher Pat McKay is interested in becoming a police officer and could enroll in the June class at the academy. It will be discussed at the next workshop meeting.

Councilwoman Wetzel reported that the Pompton Lakes Municipal Alliance, Pompton Lakes Recreation and Pompton Lakes Municipality have opened a teen center in Pompton Lakes and they would like to include Riverdale grades 6 through 12. They are working on fees and are asking us to contribute to the cost of maintenance. She advised the website is PLteencenter@yahoo.com and said we are invited to visit the facility. She reported that the soccer team that plays at Freedom Park is in agreement to a fee for use of the soccer field and she will work on establishing a fee structure with Shawn Dougherty. There was discussion regarding fees and field maintenance. Councilwoman Wetzel stated she had discussed a policy for reimbursement of attendance at in-services with Councilwoman Bush. She also stated she would meet with the recreation committee to discuss new playground equipment. Mayor Budesheim stated that the Finance Chairman had suggested we buy our own showmobile rather than build a band shell. There was discussion regarding the matter.

Councilman Guis reported there were two more sewer blockages at Rock Creek. He asked the Borough Clerk to send a thank you letter to Butler for their quick response with their truck.

Councilwoman Bush reported that one issue to be addressed in the personnel manual is reimbursement for classes for part-time employees. Councilman Guis stated that we need to establish a policy for the DPW for class reimbursement for full-time employees. There was discussion regarding the matter.

Councilman Carelli presented information he had prepared for this year’s financial presentation.

Mayor Budesheim stated that we are ready to award the bids for the Senior Community Center. There was discussion regarding the design of the parking lot. The Mayor then stated he had an appraisal of \$3.9 million for the building on North Corporate Drive that he had proposed purchasing for the municipal complex. He discussed the pros and cons of selling the current buildings and having everything under one roof. He stated that another alternative is that Judge Paparazzo might be interested in selling his building. We could take down the building along with Mario’s and build a new police station on the property. He stated that Saddle Brook recently built a police station of the exact size and configuration we had been discussing for \$5.6 million and the chief is arranging a visit. The owner of the building on North Corporate Drive needs to know if we are interested in buying it. Mayor Budesheim stated it could cost \$4 million to \$5 million to refurbish. There was discussion regarding the pros and cons and it was agreed to pursue Judge Paparazzo’s property rather than the building on North Corporate Drive.

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:09 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

BOROUGH CLERK REPORT (continued):

mine that there must be several keys to the records room in other's possession beside myself. In the past I was the only person with the key to the records room, for the purpose of having full knowledge of what was taking place at all times with the records. I recently had the occasion to go to the records room with the OSHA examiner and at that time I found that files that were originally put in drawers by me were now out of the drawers and I have no idea where they were put or what happened to them. I also noticed that four of the files that I had a lot of permanent records in have been re-arranged and put into categories with typed lists in each drawer stating what is in each drawer. This was also done unbeknownst to me. In the past I have put many hours into organizing items at least to the extent of me personally knowing where they were. I no longer have a hold on the records due to others apparently rearranging and moving files.

I have a problem with this due to the fact according to state statute the Municipal Clerk is the sole keeper of records of the municipality and therefore bears the sole responsibility for keeping the records in tact. The reason for laws being passed to protect municipal records is the fact that the records are the History of the Municipality and belong to the public, thereby requiring someone to be responsible for them, hence the Municipal Clerk.

A developer also recently informed me that he was allowed entry into the archives, unbeknownst to me, to search on his own without being accompanied by myself or any other borough employee. I was told that the individual that brought him and his engineer over there had to leave so left them there alone.

Therefore, I need to make this a matter of record for my own self-preservation as a Municipal Clerk, and the statutory duties I am obligated to, and to preserve my certification as a Municipal Clerk. I would like to remind everyone that at the time the records were moved to the next building in order to make this a conference room, I objected at that time about putting the records out of my jurisdiction.

SIGNED COPY OF MUNICIPAL CLERK'S STATEMENT IN FULL ON PAGE NO. 29-A

Borough Clerk Talerico stated that she does not want to be held responsible for missing records. She stated that when she first started working here the records were not locked and put away and a lot of the planning board records disappeared. That is why she kept them in order and locked for the future of this town.

Councilman Falkoski asked about the procedure for viewing records when they were kept in this building. Clerk Talerico stated that everyone had to come to her for the key and an employee going in for his or her own records could go in alone. A member of the public was not allowed in the room and no one else went in without her knowledge. Someone wanting to view a record has to fill out an OPRA request form and we have 7 days to supply the record. If they only want to look at the record, we retrieve it and allow them to view it in the front office where an employee is present. She stated that the locks should be changed and she should be the only person with a key along with the police chief for emergency purposes. Councilman Falkoski asked how many keys were out there and Clerk Talerico stated she had no idea. Mayor Budesheim stated he has a set, Linda Roetman has a set and perhaps Linda Forbes. Clerk Talerico stated the Deputy does not have a key but she believes the DPW has one. She also stated she has to get her records back in order as all of the drawers she had records in are now empty. Councilwoman Bush asked if anyone had been assigned the task of going over to reorganize records. Clerk Talerico stated that she herself had not been over there in a few months and when she did that is when she noticed the empty drawers. She also noticed 4 file cabinets that have a typed inventory of the contents and she did not do that and does

BOROUGH CLERK REPORT (continued):

not know who did. There was discussion regarding who might have typed the file inventory and how to resolve the problem. Clerk Talerico also stated that the governing body should consider budgeting money to get the archives of the municipality in order. She stated you could also apply to file your records at the Division of Archives in Trenton. Councilman Falkoski asked if we had any kind of digital backup of the records. Clerk Talerico stated that no money was ever allocated for doing anything with the records. Councilwoman Wetzel asked if we had any reason to believe records were missing or anything criminal has occurred. Clerk Talerico stated that she had no reason to believe that but stated records may not be thrown out, either, without permission from the Division of Archives which is a tedious procedure. There was discussion regarding who may have been handling the records in the records room. It was decided to change the lock and give a key only to the Municipal Clerk with a lock box for emergency use.

BOROUGH ATTORNEY REPORT:

No report.

WORKSHOP COMMITTEE REPORTS:

Councilman Falkoski stated that if we hire Patrick McKay for the police department he would be filling the position vacated by Robert Amelung that had been previously authorized. Councilman Carelli stated that we had already hired Joseph McDermott and we don't have money in the budget to pay him. Councilman Falkoski stated that McDermott was hired to fill a new position that had been previously approved. There was discussion regarding staffing of the police department and it was decided to add the additional salary to the budget. It was agreed to give Patrick McKay a commitment of our intention to send him to the academy. Councilman Falkoski then reported that he had contacted Andy Franks, Don Esandrio, Fred Malone, Pat Reese and Jim Talerico regarding recognition for serving on boards on the past. He has scheduled this recognition to take place on March 20th. He also stated the Board of Health would like to separately recognize Pat Reese. He has given the information to Borough Clerk Talerico to have plaques made.

Councilman Guis reported the insurance adjustor has totaled the truck that was in the accident and resolution No. 7 will approve the vehicle that will replace it. He stated the vehicle could possibly be patched and used for plowing and will be kept for salvage value.

Councilwoman Wetzel reported that D.R. Horton has very generously agreed to be the sole presenter of the concert series again this year and pay for the entertainment. She will be sending letters out to local businesses for additional funding. She also reported that Larry Feld has accepted the position of Chairman of the Board of Health and Don Meyer is now the Assistant Chairperson. She reported that the date of the street fair has been changed to October 7th. She said that working with the promoter this year will increase the number of vendors and we may have to use both sides of the street.

Councilman Astarita reported he is still waiting for proposals for remediation of the leaks at the library.

Councilwoman Bush reported that she contacted the Morris County Coordinator for the Municipal Alliance regarding the process of joining. She said we would have to do a needs assessment and appoint a committee. Councilwoman Bush will meet with her again after she gets more information from the state to see if we can streamline the process.

WORKSHOP COMMITTEE REPORTS (continued):

Councilman Guis stated the new jet-vac requires a CDL to operate and he would like it included in the job description and the compensation added to the salary ordinance.

Mayor Budesheim reminded everyone that the ceremony at the Van Ness house will be at 11:00 a.m. Saturday, March 25th.

Councilman Carelli reported on the budget. He stated that we are not going to increase the taxes this year. He distributed a rough draft and explained several points. He stated that he would like to introduce the budget on April 17th and adopt it on May 15th. It was decided to have the presentation on April 3rd at 7:00 p.m. Councilman Carelli asked Borough Clerk Talerico to inquire whether we could get an overtime report from the payroll company. There was additional discussion regarding the budget.

RESOLUTIONS:

Councilman Falkoski asked for clarification of resolution No. 1. Borough Clerk Talerico stated it is to increase the temporary budget. He also inquired about the Hyde and Watson Foundation in resolution No. 3. Mayor Budesheim stated it is a private foundation that contributes toward historic preservation and Ella Phillipone had arranged it.

Councilman Carelli asked if the parking lot had been resolved regarding resolution No. 8. Mayor Budesheim stated that it had.

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

- 1) **Resolution No. 28-2006;** Emergency Temporary Appropriations.
- 2) **Resolution No. 29-2006;** Authorization of Recycling Tonnage Grant.
- 3) **Resolution No. 30-2006;** Authorize Mayor Budesheim to endorse a Declaration of Intent to the Morris County Historic Preservation Trust Fund for a Grant in the amount of \$80,000 with \$20,000 matching funds to come from the Hyde and Watson Foundation.
- 4) Approval of Paul Darmofalski, Borough Engineer's proposal for the Mathews Avenue Project in the amount of \$48,300 for Design and \$48,300 for inspection and material testing.
- 5) Approval of Borbas Surveying in the amount \$8,750 as included as an addition to the Borough Engineer's proposal for the Mathews Avenue Project.
- 6) Approval of the purchase of the Fire Chief's vehicle from Warnock under State Contract #53130 in the amount of \$21,676.07, lights, sirens, laptop mount, front console and install equipment plus radios from Spectrum Communications in the amount of \$6,789.25, lettering, Extreme Graphics \$500, alarm system, Zeibart \$500 & materials to build rear cabinet by Fire Company \$500.
- 7) Approval of the purchase of 2006 Ford Super Duty F-350, for the DPW Department from Warnock, under State Contract #A64082, Vehicle and package for a total of \$18,765.18.
- 8) Resolution to award the Bid for the Senior Community Center as negotiated by Borough Engineer Paul Darmofalski after two failed bid attempts, for building only (no site work) to Storer Construction Services 5 Estler Lane, Boonton, NJ 07005 in the amount of \$669,950.00, and site work portion of the project according to contract to Mike Fitzpatrick & Sons, Inc. in the amount of \$202,240.00.

RESOLUTIONS (continued):

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

COPY OF RESOLUTIONS IN FULL ON PAGES 32-B, C AND D

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:00 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

BOROUGH CLERK REPORT:

Borough Clerk Talerico asked for clarification regarding the special sessions for the prosecutor and judge. Chief Financial Officer Sesholtz stated they should submit an overtime voucher. She then asked if there was going to be a change regarding the easement for the pistol team. Borough Attorney Oostdyk stated there would be no change.

MAYOR REPORT:

Mayor Budesheim reported the Riverdale School has requested we purchase an advertisement for their yearbook. Council agreed to purchase a full-page ad for \$100. He also reported the Pequannock River Coalition is frequently cleaning our parks and rivers and suggested we join the Coalition. Council agreed to join for \$100 and donate an additional \$100. The Mayor then reported that the school tax rate for this coming year is going up only 1-1/2 points and hopefully our residents will see a zero net increase in taxes.

Borough Attorney Oostdyk reported he has looked into the matter of the offer on the cell tower that was discussed at the last meeting. He stated that it really is a long-term lease and our only alternative is to go to bid. He recommended that if we want to proceed we should prepare bid specifications. Council agreed to proceed with the bid process.

Mayor Budesheim announced there would be a town meeting with Assemblyman Pennacchio on Wednesday, April 26th from 7:00 to 8:30 p.m. He also reported that he and Councilman Guis would be meeting with the D.O.T. this Wednesday to discuss the leaf depository. He stated that we received a letter giving us 30 days notice to leave the premises and he understands they want us to take over the property.

RESOLUTIONS:

Councilman Guis asked for clarification of resolution No. 10 regarding the proposal from Michael Kauker, P.P. After discussion it was decided to eliminate the resolution until more information is available.

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

- 1) Payment of Claims.
Addition - payment to:
 - a) Hydrotechnology Consultants, Inc. - \$885.00
(UST inspection – VanNess House)
 - b) Elaine Wetzel - \$38.12 – Reimbursement
 - c) Charles Quant - \$36.67 – Reimbursement
 - d) Garrett Astarita - \$19.87 – Reimbursement
 - e) Bella Casa - \$150.00 – Refreshments
 - f) Riverdale School - \$100.00 – Donation
 - g) Passaic River Coalition - \$200.00
- 2) Approval of escrow payments for various engineering fees as follows:
 - a) Paul Darmofalski, P.E. - K&K Developers \$ 12,250.00
 - b) Anderson & Denzler Associates - Riverdale Crossing \$ 3,395.28
 - c) Anderson & Denzler Associates - D.R. Horton \$ 8,430.20
- 3) **Resolution No. 31-2006**; Transfer of 2005 Appropriation Reserves.
- 4) **Resolution No. 32-2006**; Emergency Temporary Appropriations.
- 5) **Resolution No. 33-2006**; Refund of Tax Overpayments.
- 6) **Resolution No. 34-2006**; Proposal for Real Estate Appraisal & Consulting Services for Tax Appeals.

- 7) **Resolution No. 35-2006**; Approval of Place to Place Transfer for Liquor License #1433-33-005-007 – Brinker New Jersey – T/A Chili’s Restaurant – from 96 Hamburg Turnpike to 48 Route 23 North – “Riverdale Crossing” to be forward to the Division of Alcoholic Beverage Control for approval.
- 8) **Resolution No. 36-2006**; Authorization of Mayor Budesheim to endorse the WQM-003 application for the Target at Riverdale project for treatment works approval from the DEP.
- 9) Approval of proposal from Paul Darmofalski, P.E. for an inspection budget for the Riverdale Senior Community Center in the amount of \$10,000. (Copy of proposal distributed to Mayor and Council)
- 10) **Resolution No. 37-2006**; Opposing Bill #1219 concerning certain amendments to the Open Public Meetings Act (OPMA).
- 11) **Resolution No. 38-2006**; Cancellation of Taxes, Block 3 Lot 25, 211 Hamburg Turnpike.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGES 35-A, B, C, D, E, F, G, H AND I

OTHER BUSINESS:

- 1) Submittal of Certificate of Determination and Award for Bond Anticipation Note #1-2006 to the Governing Body to meet the reporting requirements of the Local Bond Law. (Copy distributed to Mayor & Council)
- 2) Cub Scout Pack #88 notified the Borough Clerk that they will be conducting their annual food drive this month, starting on March 18th with bag distribution and collection of donations will take place until March 25th. (Police Department has been notified of this event)
- 3) “Relocation Assistance Program” which appeared on the February 22, 2006 agenda and addressed at the March 6, 2006 meeting has been given a legal opinion by the Borough Attorney. (Copy of opinion distributed to Mayor and Council)

Mayor Budesheim asked if there were any questions; there were none.

UNFINISHED BUSINESS:

- 1) Title 39 Request – Home Depot.

Mayor Budesheim asked whether we had received their traffic plans. Borough Engineer Darmofalski stated he had not seen any drawings for a Title 39.

- 2) Easement Purchase Agreement – Global Signal – communications tower located at 106 Route 23 North, Riverdale.

Previously discussed.

Mayor Budesheim reminded everyone the April 3rd workshop meeting is scheduled to begin at 7:00 p.m. for budget presentation at 8:00 p.m.

COMMITTEE REPORTS:

Councilman Falkoski reported the Municipal Court Report for February 2006.

Councilman Astarita reported that he did sit on the Community Development Facility Committee this past Monday and Tuesday. He stated there were applicants with one grant outstanding and recommended that if we finish one of our grants we can apply next year. He stated there were only 12 applications for facilities. Most grants were awarded for senior citizen housing, non-profit organizations, and firehouses. He then reported that DWP Superintendent Mahon has advised the work in the records building is complete and in compliance with OSHA. He also reported we are still waiting for bids for the library repair.

Councilwoman Bush reported on ideas for course reimbursement. She stated that it could be divided into 3 categories: no reimbursement under 20 hours, pro-rated for part time, and full reimbursement for course and mileage for full-time employees during work hours with full reimbursement after documentation of completion for evening courses. She stated we might want to consider setting a maximum per year. Borough Attorney Oostdyk stated most courses for municipal employees are relatively inexpensive. Borough Clerk Talerico stated that most are \$99 or less depending on who is giving the course. She also stated that some people have multiple certifications that require recertification credits for renewal. There was discussion regarding the matter.

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:05 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

MAYOR REPORT (continued):

necessary to continue. Mayor Budesheim also stated that we need to have the electric bills for the Rock Creek street lights sent to us in our name. He then stated that he discussed the signatories for the checking accounts with the Borough Clerk and she feels confident our Deputy Borough Clerk can be designated as an alternate signatory. Mayor Budesheim also reported the fees charged by our construction department are not covering the expenses of the department. He distributed fees charged by other towns for comparison.

COMMITTEE REPORTS:

Councilman Guis reported on the clean up at the Van Ness house. He also reported that a recently hired DPW employee was offered another job at a higher salary. He stated the man shows potential and was willing to stay if we could increase his salary. Councilman Guis recommended an increase to \$16.00 per hour and said he is worth it. Mayor Budesheim stated this man has a good work ethic, knowledge and willingness to learn and he did not want us to lose him. Councilwoman Wetzel stated her concern is that if we increase one employee's salary we will have to increase for all. Councilman Falkoski stated that we have lost several employees in that department and we should study the salaries and compare them to other towns. Councilman Guis agreed we should review the salaries of the entire department but stated this individual has shown above and beyond performance and potential. Councilman Carelli stated that we had added two new titles in the department, Senior Utility Person and Foreman, and suggested we might want to promote this person. Councilwoman Bush asked if there was documentation that this employee is performing above and beyond expectation. Councilman Guis stated that we do an annual review but he has only been with us 9 months. Councilwoman Wetzel stated that the percentage of increase is over 30 percent and she felt that was high and reflects poorly on us. Councilwoman Bush stated it is also a reflection of poor management when there is high turnover. Councilman Guis stated that during the last four exit interviews salary was the reason for leaving. Councilman Astarita stated that we would always be dealing with that situation because we are a small town and there will always be opportunities to earn more in larger towns. Councilman Guis stated there are advantages to starting the employees at a low salary and having the ability to make increases to keep the good workers. He stated that this person has proven himself and should be a core worker. Councilman Guis stated he would also like to propose a resolution to approve the \$1.00 per hour raise for a CDL.

Councilman Astarita reported he received an estimate from Stucco Doctor for \$4,500 to repair the leaks at the library. Councilman Guis suggested we ask for a warrantee of the work. Borough Clerk Talerico stated we need two more quotations.

Councilwoman Bush reported she has a meeting scheduled on April 10th with Beth Jacobson, representative for the Municipal Alliance Committee, to get specific information. She also stated that she attended the Freeholder Presentation on County Government on March 29th. She also reported she had information for review from the Borough Attorney on policies dealing with attendance at classes, seminars and conferences.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported we were invoiced for the appraisal of the Dube property. Borough Attorney Oostdyk stated it was complete. She then stated she had a verified list of the LOSAP payment. Chief Financial Officer Sesholtz stated it could go on the next agenda. She also stated she had prepared an ordinance to increase the liquor license fees and it had been reviewed by the Borough Attorney. She then reported that our insurance company is trying to get the money from JCP&L for the fire they created

BOROUGH CLERK REPORT (continued):

on Newark Pompton Turnpike in 2003. As of this date our insurance company is willing to release to us \$18,652 (\$23,652 less \$5,000 deductible). She would have to sign an agreement accepting the payment. She stated we have already spent \$34,098.78 that they are trying to subrogate from JCP&L. There was discussion regarding the matter and it was decided the Borough Attorney would review the file.

BOROUGH ATTORNEY REPORT:

No report.

CORRESPONDENCE:

- 1) From Diane Wilton, Principal/Supervisor Special Services inviting the Mayor and Council to the "TORCH" ceremony. (Previously distributed to Mayor & Council)
- 2) Pompton Lakes Planning Board advising of public hearing on April 18, 2006 at 8:00 p.m. to consider the application of Osmond Kaba for Preliminary & Final Major Subdivision approval and Final Site Plan approval which may include request for variances, located at 276 Garden Road Block 7801-Lot 39. Meeting to take place at 25 Lenox Avenue, Pompton Lakes, NJ

RESOLUTIONS:

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

- 1) **Resolution No. 30-2006:** Reinstatement of Resolution to authorize Mayor Budesheim to endorse a Declaration of Intent to the Morris County Historic Preservation Trust Fund for a Grant in the amount of \$35,132 with \$8,808 matching funds to be funded by the Borough of Riverdale.
- 2) **Resolution No. 24-2006:** Reinstatement Green Acres Enabling Resolution - \$1,150,000 Grant for Van Ness House.
- 3) **Resolution No. 39-2006:** Authorization of submittal of grant application for the 2006 Enforcement Grant – Click it or Ticket.
- 4) Resolution to appoint Michael Van Ry as a Junior Fireman of the Riverdale Volunteer Fire Department.
- 5) Resolution to approve alternate signature designee Deputy Municipal Clerk Linda Forbes for all accounts.
- 6) Resolution to approve salary increase for Rob Nichols to \$16.00 per hour and do a study of DPW rates for all employees.

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

COPY OF RESOLUTIONS IN FULL ON PAGES 39-B, C AND D**CLOSED SESSION:**

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

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

The meeting was relocated to the conference room for closed session.

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

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

BUDGET PRESENTATION:

Mayor Budesheim announced Councilman Carelli would make the annual budget presentation.

Councilman Carelli gave a visually aided presentation on the municipal budget and property taxes. He explained the effect the 2005 revaluation had on commercial and residential property taxes last year. He stated that the municipal taxes did not increase in 2005 but the residential tax burden had increased by \$568,000. He explained the current tax bill with a breakdown of how much goes to the school, county, municipal tax and open space for the average house. He explained the assessment breakdown for 2006 and the increase of 4.4% in ratables. He explained the increases in several line items in the 2006 municipal budget and stated there is a 1.1% increase over last year's adopted budget. He explained the tax levy which has increased 4.7% or just over \$100,000. He stated that our surplus is still \$2,500,000 which can be used to lower the tax rate. He stated the proposed budget for 2006 is \$5.58 million, our tax levy is \$2.3 million, and \$1.4 million of surplus will be used to keep the tax rate at a low .341. He announced that the average home assessment this year is \$315,000 and the 2006 municipal tax increase will be zero. He presented a comparison of Riverdale's tax rate and average assessment to neighboring towns. He described several of the projects currently underway and the potential increase in ratables in the next few years. He concluded by stating that Riverdale is in a great position and we are looking ahead to continued redevelopment of Independence Park, the Glen Burn Estate, Senior Community Center and expanding recreation events. He answered questions from the audience regarding the budget and taxes.

An audience member asked about additional potential for ratable growth. Mayor Budesheim stated that we are not looking to develop any more undeveloped land. He said we are looking for redevelopment such as the Riverwalk. We will be looking at the Hamburg Turnpike and getting additional sewers and allocation that will lead toward redevelopment. He stated we are setting up a meeting with Ross Kushner of the Pequannock River Coalition to discuss redevelopment along the river. The Mayor was asked if the Riverwalk property floods. Mayor Budesheim stated it is in the 100-year floodplain but the buildings will be a foot above the floodplain and nothing will be in the floodplain itself. The Mayor was asked about discussions with Pompton Lakes. Mayor Budesheim explained that our governing body had met with them prior to the zone change and they liked the idea. He described how the project would be an improvement environmentally and the Highlands Act encourages this type of redevelopment. The Mayor was asked about the traffic impact from all of these developments. Mayor Budesheim stated that traffic engineers do studies and projections and the impact is minimal.

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:40 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

CLOSED SESSION:**LEAF DEPOSITORY POSSIBLE CONTRACTURAL ARRANGEMENT WITH STATE OF NEW JERSEY:**

Mayor Budesheim reported that He and Councilman Guis met with the Department of Transportation in Trenton to negotiate the possibility of purchasing the DOT property located on Riverdale Road, where the Compost Facility is located. If Riverdale were to take over this property, due to the fact it is wetlands, we would be involved in the wetlands mitigation and have to report every year. The DOT had notified the Borough that the compost facility had to be shut down within thirty days, for which they (DOT) had granted a 90 day extension. The DOT wants to make this situation work, and we have a possible proposal of trading for the property. The trade would be Riverdale constructing a salt facility (barn) for the DOT to store their salt in (up to one and one-half million dollars in construction costs) and in return the property at the Compost Facility will be transferred to the Borough of Riverdale. Also we had requested 38,000 square feet of property behind the municipal building from the Department of Defense several months ago to accommodate additional parking spaces. They have repeatedly denied our requests, and we come to find out that part of the property is owned by the DOT. Therefore, the DOT will try to negotiate with the DOD in order to obtain the additional property behind the municipal building.

If this transaction were to take place the Borough would most likely be receiving \$50,000 per year rent from Mr. Flockhart, who will manage the site. We would probably also receive additional money from different towns that would utilize the facility for their recycling purposes.

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 William Budesheim presiding.

ROLL CALL: Present: Bush, Wetzel, Guis, Astarita, Carelli, 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: March 20, 2006 - Regular Meeting
 April 3, 2006 - Workshop Meeting

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

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

PRESENTATION FOR EAGLE SCOUT PROJECT:

Boy Scout Robert Loesner reported that the bridge is complete and the total cost was \$705.82 which is less than the original estimate of \$1,401.03. He thanked the Mayor and Council for approving and funding the project. He also thanked Councilman Guis for use of his machines, Borough Engineer Darmofalski for assisting with the design and the Quarry for donating the stone. He presented pictures of the completed project. Mayor Budesheim stated that he and the entire Troop did an excellent job.

PUBLIC PARTICIPATION NO. 1:

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

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

ORDINANCES:

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

ORDINANCE 08-2006

CALENDAR YEAR 2006

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION 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.

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

ORDINANCES (continued):

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

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 08-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 44-A

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

ORDINANCE 7-2006**AN ORDINANCE AMENDING CHAPTER 70 ALCOHOLIC BEVERAGES OF THE CODE OF THE BOROUGH OF RIVERDALE, MORRIS COUNTY, NEW JERSEY**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 44-B

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

ORDINANCE 9-2006**ORDINANCE AMENDING CHAPTER 168 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND AMENDING CERTAIN SETBACK REQUIREMENTS IN THE "R-7.5 RESIDENCE DISTRICT"**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 44-C

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

ORDINANCE 10-2006**ORDINANCE ESTABLISHING WATER AND SEWER CONNECTION FEES**

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

ORDINANCES (continued):**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 45-D**

- 5) There was discussion regarding the enforcement of Ordinance 11-2006. There was also discussion regarding litter, inspecting and cleaning the catch basins, and illicit and legitimate connections.

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

ORDINANCE 11-2006

**ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF RIVERDALE AND REGULATING ILLICIT CONNECTION TO
STORMWATER SYSTEM, IMPROPER DISPOSAL OF WASTE AND
MUNICIPAL STORM SEWER SYSTEM, PET WASTE, WILDLIFE FEEDING,
AND CONTAINERIZED YARD WASTE**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 45-E**RESOLUTIONS:**

Mayor Budesheim stated that passing resolution 42-2006 would protect our interests and keep us informed with regard to Passaic River Basin flooding issues.

There was Council discussion regarding low speed vehicles. The state is allowing them to be operated on roads regulated by DOT that are posted at 25 M.P.H. or less provided the municipality by ordinance has designated the street as a street where low speed vehicles will be permitted. It was decided low speed vehicles would be prohibited on all streets in the borough and the Mayor will notify the Motor Vehicle Commission of our intent.

Councilman Falkoski stated the radios for the new police cars would be \$2,554 under Morris County Co-Op contract #41.

Councilman Guis requested approval of the \$1.00 per hour increase for the CDL that was discussed at the last meeting.

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

- 1) Payment of Claims.

a) additional payments:	New York, Susquehanna & Western	\$ 875.00
	New York, Susquehanna & Western	\$ 1,000.00
	Lincoln Financial (LOSAP payment)	\$31,917.00
- 2) Approval of escrow payments for various engineering fees as follows:

a) Paul Darmofalski, P.E.	-	K&K Developers	\$ 3,920.00
b) Paul Darmofalski, P.E.	-	Majestic Homes	\$ 1,453.00
c) Paul Darmofalski, P.E.	-	D.R. Horton	\$ 12,060.00
- 3) Resolution to appoint Patrick McKay as an Officer In Training for the Riverdale Police Department to be compensated at the 2006 OIT salary established in the P.B.A. Contract.

- 4) **Resolution No. 40-2006;** Support of Assembly Bill #1425 and requesting the restoration of 'cap banking'.
- 5) **Resolution No. 41-2006;** Approval of a Green Communities Challenge Grant with a grant amount of \$2,000 and a municipal matching fund of \$1,000.
- 6) **Resolution No. 42-2006;** Expressing the interest of the Borough in the formation of the Central Passaic River Basin Flood Commission.
- 7) Authorizing Mayor Budesheim to notify the Motor Vehicle Commission of our intent to ban low speed vehicles on all streets.
- 8) Authorizing application to the state for Title 39 implementation at Home Depot/Target.
- 9) Authorizing the purchase of radios for police cars at a total cost of \$2,554 through Morris County Co-Op contract #41.
- 10) Authorizing salary increase of \$1.00 per hour for DPW employees who obtain a CDL.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 46-F, G, H, AND I

INTRODUCTION OF 2006 MUNICIPAL BUDGET:

Councilman Carelli reviewed highlights of the budget. He stated that he prepared the salary ordinance and salary resolution for 2006 and the Borough Clerk will review them for accuracy. If everyone is in agreement, they will be introduced at the meeting on May 1st. Mayor Budesheim thanked Councilman Carelli and CFO Ken Sesholtz for doing an excellent job.

Councilman Carelli set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED**, for the introduction of the 2006 Municipal Budget.

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

Public Hearing and Adoption scheduled for May 15, 2006 at 7:30 p.m. To be published in the Suburban Trends Newspaper on Sunday, April 30, 2006.

COPY OF 2006 MUNICIPAL BUDGET IN FULL ON PAGE NO. 46-J

MAYOR REPORT:

Mayor Budesheim reported that he has been talking with people from White Castle and they may be coming to a location in Riverdale on Route 23 South. He also reported the Superior walls for the Senior Community Center will be coming on May 3rd.

BOROUGH CLERK REPORT:

No report.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported excavating should begin for the Senior Community Center next week. He also reported that he has contacted the quarry to schedule beginning inspections. He gave a status report of the progress at Wal-Mart, Linens and Things, Chili's, and Pier One Imports. He stated that they expect Chili's to

BOROUGH ENGINEER REPORT (continued):

open within five months and the goal is have all of the stores open by the end of this year. He reported that the Horton site was looking for occupancy in the first building by the end of this month but they are not ready. They are moving quickly and there should be residents in the next few months. He reported the Majestic Homes project has about half the buildings approved for occupancy and all but three are under construction. He reported that Mathews Avenue is being surveyed and it must be awarded by January 2007. He also reported receipt of a letter from the Governor requesting that state aid applications be in by June 30th. We need to determine what road, if any, we will apply for funding. There was discussion regarding road repairs needed on Newark Pompton Turnpike. Councilman Carelli stated that the Shade Tree Commission has found there are problems in town with curbs, sidewalks and trees that should be considered. There was also discussion regarding the sidewalk requirements for Mr. Walker's subdivision.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported they had a conference this morning for the Target case which has been re-filed based upon the new series of objections. We should get a quick determination on the issues.

COMMITTEE REPORTS:

Councilman Carelli reported that the Shade Tree Commission has a report from the forestry expert who catalogued every tree in the borough. It is categorized as to trees and stumps that should be removed, trees that should be pruned and areas where trees should be planted. He also listed streets with sidewalk issues and safety issues on private property and made recommendations. There was discussion regarding notifying the property owners by letter.

Councilman Falkoski reported the Municipal Court Report for March 2006. He then asked if anyone knew what was being planned at Cedar Crest in the area where they had wanted to put a bus shelter. He said that there had been a survey and stakes had been placed along the route of the old Cotluss Road. Mayor Budesheim stated that Pequannock's property goes all the way to the state DOT right-of-way and they could be planning the shelter at that location.

Councilman Astarita reported that he was waiting for return calls from stucco contractors for the library. He then stated that he had read in the news about the railroad creating transfer stations on their right-of-way and he is concerned they could be planning something in Riverdale. Councilman Guis stated that we cannot affect what they do on their property. We can only have them come before the Planning Board to discuss issues of public safety.

Mayor Budesheim stated that he read an article stating municipalities have the responsibility to request railroad gates. He said that we should put in a request for gates by the quarry on Hamburg Turnpike, Riverdale Road, Post Lane and Mathews Avenue.

Councilwoman Bush reported on her meeting with Beth Jacobson to discuss the formation of the Municipal Alliance Committee. She stated it entails three required meetings, open to the public and we would need to solicit people interested in serving from different organizations in the community. A needs assessment must be done and documented. Funding goes in terms and one set goes from 2005 through 2007. Applications for funding for next year have to be in by June 23rd which means needs assessment and total formation of the committee would have to be in place along with a line item budget. Councilwoman Bush felt that trying to form a committee now would be too aggressive. She recommended advertising in the newsletter so interested people

COMMITTEE REPORTS (continued):

could contact her. She could then solicit from community organizations that we must include and we could be in place for the next set of funding. She then asked if there were any comments regarding the reimbursement for classes. Councilwoman Wetzel reported the state requirements for a public health nurse although our nurse would not qualify because she is per diem.

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:50 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

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

Mayor William Budesheim presiding.

**ROLL CALL: Present: Bush, Wetzel, Guis, Astarita, Carelli, 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.

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

ORDINANCES:

Mayor Budesheim asked how long ordinance 12-2006 was expected to be valid. Councilman Carelli stated it is expected to be valid through 2008.

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

ORDINANCE 12-2006

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

**ROLL CALL: Ayes: Bush, Wetzel, Guis, Astarita, Carelli, Falkoski
Nays: None**

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 49-A

NEW BUSINESS:

- 1) Application from Target Corporation for Title 39 Implementation for their tract known as Block 40, Lots 4.03 and 4.04 Route 23 North – (Decker property). Included in the application is a copy of the “lay-out plan” showing proposed signage for the site. The cover letter states it would be appreciated if the Target and Home Depot matters be placed on the Riverdale Municipal Council’s agenda for approval as soon as possible, inasmuch as the Department of Transportation is waiting for this action to take place in order to give final approval for the jughandle improvements. Please note that Target has not taken title to its site, as of this date, however, it expects to do so shortly.

UNFINISHED BUSINESS:

- 1) Title 39 Application submitted by Home Depot Store No. 0919, which was forward to Chief of Police for review (as of April 17th Mayor & Council Meeting Paul Darmofalski, P.E. is handling this matter).

There was discussion regarding the status of the above Title 39 applications. It was decided to obtain the plans for Home Depot and Target, if complete, from the Borough Engineer for submittal.

MAYOR REPORT:

Mayor Budesheim reported that the advertisement to go to bid for the showmobile would be in Wednesday's paper. He stated the price from the company in Florida is \$45,000 plus approximately \$3,000 for delivery. After discussion Council agreed that it should be subject to a physical inspection prior to payment and it was also agreed that Councilman Guis travel to Florida to do the inspection. Mayor Budesheim then reported that there is a black trailer parked between the ball fields at the park. Councilman Carelli stated he suspects it is for a little league snack stand. After discussion it was decided Councilwoman Wetzel would investigate and notify the proper person of requirements for permits and food inspection. Mayor Budesheim then passed around an architectural rendering of the renovations planned for Riverdale Square. He stated they plan to spend about 3-1/2 million dollars to upgrade the shopping center. He said they are also looking to purchase property on Hamburg Turnpike and he passed around a rendering of retail/townhouses for that site. The Mayor then stated that he has requested a proposal from planner John Thonet to re-do our ordinance and get his ideas for the redevelopment zone. He also reported the video cameras on the police cars have been breaking and we may need to budget for replacements with newer digital models.

BOROUGH CLERK REPORT:

Deputy Borough Clerk Forbes reported that the Planning Board has notified us that they have reviewed the revised R7.5 Zone Ordinance and it was unanimously approved as written. She also reported the library has requested their 2nd quarter allocation of \$8,000 which is due May 5th.

Mayor Budesheim stated we should approve the \$80 payment to Bella Casa for lunch for the workers at the Senior Community Center.

Councilman Guis stated resolution No. 2 should be corrected to read \$560/per truck per day for a total of \$5888.

Mayor Budesheim stated that he notified North Jersey Media Group that they are subject to a \$1,000 littering fine if their flyers are thrown on the streets or sidewalks.

BOROUGH ATTORNEY REPORT:

No report.

COMMITTEE REPORTS:

Councilman Carelli stated the Shade Tree Committee has reviewed the tree expert's report and recommendations. He reported many situations where sidewalks are lifting from tree roots and this is a safety issue that needs to be addressed. Councilman Guis suggested going to bid for sidewalk repair and offering the contracted price to residents as an option. There was discussion regarding whether the borough or homeowner should pay for sidewalk repairs made necessary by borough trees in the right-of-way. Borough

COMMITTEE REPORTS (continued):

Attorney Oostdyk stated it is our option. There was discussion regarding the long-term plan to do paving and sidewalks on every street. Councilman Falkoski reported that on Cotluss Road rainwater is washing out the dirt in the right-of-way and undermining the road. He asked if a catch basin could be installed rather than a curb. Councilman Guis stated he would look into it. After further discussion it was agreed we would first deal with the trees that are uprooting sidewalks. Councilman Carelli stated the Shade Tree Committee will recommend specific types of trees as replacements and we could also bid for trees to offer the residents. He will also check with the tree service in the Morris County Co-Op to see if that pricing can be extended to residents.

Councilman Falkoski reported letters were received from Detective Lt. Rich Roemmele commending Sgt. Smith and Patrolman DiGirolamo for the off-duty arrest of a drug dealer, and commending Patrolman Travis Roemmele for his participation in another drug arrest. Councilman Falkoski then reported that the vehicles used by the Fire Department Chief and Assistant Chief might need to be controlled for personal use. He stated he's received calls from people saying they see them riding with their family and children in the car and this could be a liability. He reported that during the three-month period January through March the mileage on one car was 2,651 and it utilized 253.2 gallons of fuel at a cost of about \$567. He stated that car is being used for more than official Fire Department use. Borough Attorney Oostdyk stated that many towns have policies limiting borough vehicles to borough purposes only. There was extensive discussion regarding how the vehicles are being used and what is appropriate. Councilwoman Bush read the following use of vehicles policy from the employee handbook.

“Borough owned vehicles shall be used only on official business and all passengers must be on Borough business. Vehicles may be taken home only with the advance approval of the Mayor except a Department Head may also grant temporary approval to facilitate responses to after-hours emergency calls. When an employee takes home a Borough vehicle, it is to be used only for official Borough business any other use is not permitted. Any violation of this policy constitutes cause for disciplinary action.”

There was continued discussion regarding vehicle usage. Councilwoman Wetzel stated she had received a confidential call from a member of the Fire Department who said there was concern within the department that we were manipulated into purchasing the second vehicle and that it was not needed. This person told her there was a large group of people within the department who felt this same way and they were tired of the bragging and joking about not having to pay for gas. There were also remarks made that the peeling paint was hand-peeled and family members are in the car on a regular basis. Councilwoman Wetzel told the caller that she would bring the matter to the Mayor and Council for discussion. She stated that she believes that we are being taken advantage of and these issues need to be addressed and changed. She stated that considering the price of gas and the liability we should not be providing this service to any department. Councilman Astarita stated that there are IRS rules regarding employees having a car for personal use and for commuting to work. Borough Attorney Oostdyk stated the problem is that we have written policy that prohibits personal use and we know it is being done. He stated we either have to change the policy or enforce it. There was discussion whether the current policy should apply to the Fire Department or if it should be modified. Mayor Budenheim stated the policy refers to employees and questioned whether they were employees or volunteers. Councilwoman Bush stated it is still a Borough vehicle. The Mayor stated that they should not be allowed to take the vehicles to work but should be able to drive them within the Borough. Councilman Guis stated that arriving at the scene with the command vehicle prior to the fire truck allows them to prepare and saves time but he did not feel family members should be in the vehicle. There was debate as to whether there could be additional liability to the Borough in the

COMMITTEE REPORTS (continued):

event of an accident if family members and children are in the vehicle. Councilwoman Bush questioned public perception and made the comparison to a Police Officer in a patrol car. Councilman Falkoski stated the perception is that taxpayers' money buys these vehicles that are supposed to be used for emergency purposes to protect the public yet they are being utilized for other purposes. There was debate as to whether the Fire Chiefs are considered on official business 24 hours/7 days. It was decided that the policy written in the Employee Handbook will apply to the Fire Department and the interpretation of the policy is that the vehicles cannot be used for commuting to work, may be taken out of town only for official business and passengers must be firematic personnel. The Fire Chief and Assistant Fire Chief will be notified in writing. Councilman Astarita then asked about other employees who use Borough vehicles to commute to work. Borough Attorney Oostdyk stated it is consistent with our policy if there is a need and it has been approved.

Councilman Astarita reported the bill from the library is \$325 to repair their air conditioning unit. He stated that he made multiple calls to Anchor Stone and Stucco and Power Stucco regarding the remaining library repairs and his calls have not been returned; therefore, he would like to award the repair to Stucco Doctor for \$4,500. This will include caulking windows, roof repairs, and tile repair to the front steps.

Councilman Guis reported the Senior Community Center is well underway. The ceremonial groundbreaking will be Tuesday, May 9th at 1:15 p.m. He also reported the Jet Vac has arrived and an operator from Butler will be spending a few days working with our men. The maintenance program will begin at Rock Creek. He also reported the Stormwater Management will be delayed another 4 or 5 months from becoming mandatory.

Councilwoman Wetzel reported registration for summer recreation is Thursday, May 4th at 7:00 p.m. There is a full calendar of events and several new programs this year. She also reported that she verified the correct concert dates with LaGuardia and they will be in the next newsletter. Final notices will be mailed to people who have contributed to the concert series in the past.

Mayor Budesheim stated he would like to authorize going to bid on the cell tower with a minimum bid of \$950,000.

Councilwoman Bush reported she spoke again with Beth Jacobson regarding the Municipal Alliance Committee. She stated we will be organizing a committee during the summer and actual committee work will begin in the fall. Borough Attorney Oostdyk stated this is usually established by ordinance and he will provide a form. Councilwoman Bush also asked the Borough Attorney to prepare a final resolution updating reimbursement for courses in the Employee Handbook.

RESOLUTIONS:

Mayor Budesheim clarified that Resolution No. 43-2006 reflects the elimination of longevity for the Police Chief and it is now part of the base salary. He stated there is no increase in cost to the Borough.

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

- 1) Payment of Claims.
 - a. Howard C. Storer LLC – Senior Community Center - \$11,760.00
 - b. Borbas Surveying – Senior Community Center - \$3,700.00

- c. The Fun Plex – Riverdale Recreation - \$200.00
- d. Land of Make Believe – Riverdale Recreation - \$100.00
- e. T&K Tours – Riverdale Recreation-Yankee Trip - \$300.00
- f. LaGuardia & Associates – 1st Payment – Concert Series - \$9,650.00
- g. Riverdale Library 2nd Quarter Allocation - \$8,000
- 2) Approval of trucking proposal for the Riverdale Senior Community Center to Rob Febbi, Boonton, NJ @\$560/per truck per day for a total of \$5,888 subject to completion of paperwork. (3 quotations were received)
- 3) Approval of a \$1.00 per hour increase for Jason Casbarro effective May 15, 2006 Payroll who has fulfilled the requirement of obtaining a Commercial Driver’s License for the operation of the Vactor Truck which was recently purchased.
- 4) **Resolution No. 43-2006;** Establishing Salaries for 2006.
- 5) Resolution to set the dates of public hearings for the Riverdale Open Space Plan to be held at the May 15, 2006 and June 19, 2006 Mayor and Council Meetings.
- 6) Authorizing payment of \$80 to Bella Casa for lunch provided to workers at the Senior Community Center.
- 7) Authorizing payment of \$325 to Roy Eck for library HVAC repair.
- 8) Awarding repair work on library to Stucco Doctor for \$4500.
- 9) Authorizing going to bid for the cell tower with a minimum bid of \$950,000.

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

COPY OF RESOLUTION IN FULL ON PAGE 53-B

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:05 p.m.

APPROVED:

Respectfully Submitted:

 William Budesheim, Mayor

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

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 55-A

2) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 09-2006**ORDINANCE AMENDING CHAPTER 168 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND AMENDING CERTAIN SETBACK REQUIREMENTS IN THE “R-7.5 RESIDENCE DISTRICT”**

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

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

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

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 09-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 55-B

3) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 10-2006**ORDINANCE ESTABLISHING WATER AND SEWER CONNECTION FEES**

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

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

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

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

ORDINANCES (continued):

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, **RESOLVED** that Ordinance No. 10-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 56-C

4) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 11-2006

**ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE
 BOROUGH OF RIVERDALE AND REGULATING ILLICIT CONNECTION TO
 STORMWATER SYSTEM, IMPROPER DISPOSAL OF WASTE AND
 MUNICIPAL STORM SEWER SYSTEM, PET WASTE, WILDLIFE FEEDING,
 AND CONTAINERIZED YARD WASTE**

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

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

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

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, **RESOLVED** that Ordinance No. 11-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 56-D

5) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 12-2006

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

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

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

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

ORDINANCES (continued):

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 12-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 57-E

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

ORDINANCE 13-2006

AN ORDINANCE PROHIBITING THE USE OF LOW SPEED VEHICLES ON MUNICIPAL STREETS AND ROADS

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 57-F

Mayor Budesheim asked if there were any questions regarding Ordinance 15-2006. Councilman Falkoski asked if steps were being taken to correct the problem with inflow and infiltration. Mayor Budesheim stated that there were but we don't know the results. Councilman Guis explained some of the steps taken by the Water Engineer.

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

ORDINANCE 15-2006

ORDINANCE AMENDING CHAPTER 136 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND ESTABLISHING SEWER RATES.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 57-G

PUBLIC HEARING OF 2006 MUNICIPAL BUDGET:

Councilman Carelli gave a summary of the budget presentation. He stated that taxes will not increase this year and there will be tax relief in the future with the increase in ratables.

PUBLIC HEARING OF 2006 MUNICIPAL BUDGET (continued):

Mayor Budesheim stated that this matter was open to the public.

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

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

RESOLUTIONS:

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

- 1) Payment of Claims.
 - a) additional payments: Various Recreation Trips to be paid at various intervals:

T&K Tours	-	Bussing	-	\$445.00
Bergen Cnty. Parks		Permit Fee		\$100.00
Bergen Cnty Zoo		Visit		\$200.00
Darlington Cnty Park		Visit		\$696.00
Mad Science		Trip		\$460.00
Junior’s Venture		Trip		\$235.00
Amazing Amusements		Amusements		\$1,000.00
Michael Moratto		Yankee Tickets		\$260.00
Amazing Amusements		Booth Games		\$450.00
Dynamite Falls		Golf		\$350.00
*Theatre Direct		Mamma Mia		\$3,496.25
*(contingent on participation)				
**Howard C. Storer		Senior Project		\$46,550.00
**(to be paid upon release by Paul Darmofalski, P.E.)				
Two Bridges Auth		Permit Fee		\$260.00
Treas., St. of NJ		WQM-002 Fee		\$6,400.00
AT&T		Long Distance		\$603.59
Nextel		Cell Phones		\$551.03
Verizon		Cell Phones		\$77.69
 - b) Paul Darmofalski, P.E. - K&K Developers \$ 4,220.00
 - c) Paul Darmofalski, P.E. - Majestic Homes \$ 1,330.00
 - d) Paul Darmofalski, P.E. - D.R. Horton \$ 8,800.00
 - e) Anderson & Denzler - K&K Developers \$ 2,995.88
 - f) Anderson & Denzler - D.R. Horton \$ 5,125.14
- 2) Approval of escrow payments for various engineering fees as follows:
- 3) **Resolution No. 44-2006;** of Tax Refund Overpayments.
- 4) **Resolution No. 45-2006;** Tax Title Lien.
- 5) **Resolution No. 46-2006;** Resolution of Governing Body consenting to the Paterson Hamburg Turnpike Sewer Extension Project – WQM-002.
- 6) **Resolution No. 47-2006;** of Governing Body to approve the Tax Appeal Settlement for EOC Realty, LLC v. Riverdale Tax Court, 2004, 2005 & 2006. Proposed settlement as follows: 2004 - \$2,333,100.00; 2005 - \$3,488,200.00; 2006 - \$3,488,200.00. Copy of Attorney’s letter distributed to Mayor & Council with agenda).
- 7) Amendment approved by Governing Body to Salary **Resolution #43-2006** as follows:
 - a. Special Police Officer (Charles Quant) read: \$22,500.00 should read: Special Police Officer (Charles Quant, Sr.) \$17,607.00.
 - b. Crossing Guard (Frank Sorgi) read: \$10,027.00 should read \$10,383.00.
- 8) **Resolution No. 48-2006;** Amendment to 2006 Approved Budget.

RESOLUTIONS (continued):

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 59-H, I, J, K, L, M AND N**CORRESPONDENCE:**

- 1) Lydia and Glenn Hartford of 61 Loy Avenue stating that they have made some improvement to their home by adding an addition and a garage. We are preparing to repair the driveway and walkway in front of the home and would like to widen the opening to the driveway. This would require removing approximately one section of the curb. We are asking for permission to widen our curb cut and driveway. (copy of letter distributed to Mayor & Council with agenda).

Councilman Falkoski asked if a sketch was provided. It was not and Councilman Guis stated that a sketch should be required with future requests. Borough Engineer Darmofalksi stated he is very familiar with the property. Mayor Budesheim stated they must apply for a road opening permit which will be approved by the Borough Engineer.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Carelli, to approve the request to widen the curb cut and driveway at 61 Loy Avenue, subject to submission of an application for a road opening permit and approval of the Borough Engineer.

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

UNFINISHED BUSINESS:

- 1) Title 39 Request – Home Depot. (work in progress)

Borough Engineer Darmofalski stated plans have been sent to Mr. Rubin.

- 2) Easement Purchase Agreement – Global Signal – communications tower located at 106 Route 23 North, Riverdale. (To be bid)

Borough Attorney Oostdyk stated specifications are ready and he will discuss a bid date with the Borough Clerk.

ADOPTION OF 2006 MUNICIPAL BUDGET:

Councilman Carelli set forth the motion, seconded by Councilman Falkoski, for the Adoption of the 2006 Municipal Budget.

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

COPY OF 2006 MUNICIPAL BUDGET IN FULL ON PAGE NO. 59-O**MAYOR REPORT:**

Mayor Budesheim reminded everyone that the Memorial Day ceremony will be held Monday, May 29th, at 10:00 a.m. on the front lawn.

MAYOR REPORT (continued):

Mayor Budesheim reported on the planning services proposal from Clough, Harbour and Associates. He stated that he is concerned about the Open Space in the Master Plan Update and wants to ensure that these areas will be protected with enabling ordinances. He also stated that we have to update the ordinance and have a plan in place for redevelopment along Hamburg Turnpike before applicants come in. He asked Chief Financial Officer Sesholtz if we could authorize a special emergency appropriation for a master plan update. Councilwoman Bush stated she didn't want to duplicate things that were already done with previous planners. Mayor Budesheim stated that we received a 31-page letter stating that our Third Round COAH plan was rejected and these fees would include bringing that up to date. Councilman Falkoski stated he has wanted a professional master plan analysis for a long time and he wholeheartedly supports this proposal. Chief Financial Officer Sesholtz stated that we would need an ordinance to authorize a special emergency appropriation. Councilman Guis stated the proposal is vague. He said that some of the lump sum numbers seemed high and he would prefer if it contained hourly rates and anticipated quantities of time on the items that interest us. Mayor Budesheim stated that would be in the agreement. It was decided to have a Special Meeting at 8:00 a.m. on Thursday, May 18th for the purpose of acting on a resolution to approve a Special Emergency to fund the Master Plan Project and take action on the approval of a Professional Agreement for Engineering/Planning Services for the Master Plan Project.

Mayor Budesheim reported that State Senate bill S-477 known as the Responsible Employer Act would force towns to pay for full medical benefits for any employee who works in excess of 15 hours a week. There was discussion regarding the bill.

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

Resolution No. 49-2006; Resolution opposing the "Responsible Employer Act" Senate Bill #477 – Healthcare Tax.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 60-P

Councilwoman Wetzel stated that representatives from Pompton Lakes are present to make a presentation for discussion regarding the Teen Center.

Pompton Lakes Councilman Marc Pardalis introduced Recreation Director Karen Murphy and Director of the Pompton Lakes Municipal Alliance Council, Renee Merlino. Councilman Pardalis stated the Teen Center has been open since November and a lot of Riverdale teens use the center. Many Riverdale parents volunteer and chaperone. They would like to partner with Riverdale and share the expenses of the Teen Center. He reported that the number of students eligible to use the Teen Center in grades 6-8 and 9-12 is 933 in Pompton Lakes and approximately 196 in Riverdale. The Teen Center costs approximately \$17,000 annually (\$12,000 rent and \$5,000 staff) and they are requesting a contribution of 25% or \$4,250 from Riverdale. He stated that Riverdale teens could still attend the center if the contribution is not made, but they would be charged a higher fee.

Mayor Budesheim stated the matter would be discussed at the workshop meeting.

OPEN SPACE PLAN PUBLIC HEARING:

Eugene Reynolds of the Passaic River Coalition gave a slide presentation and explained how the coalition works with municipalities throughout the watershed on issues that affect water quality. He stated they had been contacted by Riverdale to draft an Open Space and Recreation Master Plan. He said the two major elements of an Open Space plan are philosophy and a practical approach. He stated that an Open Space Plan can be revised and will become an element of the Master Plan. The benefits are to provide focus for the community, coordination with neighboring communities, provide protection for open space, and more and faster funding. He described various types of properties that would be considered open space and the types of activities that could take place in those areas. He stated that it is important to get input from residents of the Borough. The draft will be made available for public inspection for a two or three week period for input and a final draft will be presented at the public hearing on June 19th.

Borough Engineer Darmofalski stated that the Morris County Planning Board would be sending their up-to-date photography to the municipalities any day.

An unidentified resident made an indiscernible comment regarding vacant land by Mountainside Park in Pequannock. Mr. Reynolds stated that counties like to know municipalities are working together when they apply for funding and it is an excellent suggestion to put them together.

An unidentified resident made an indiscernible comment regarding Riverwalk. Borough Engineer Darmofalski stated his understanding is that with private ownership it is not restricted to just their residents.

Mayor Budesheim noted that the introduction states Riverdale is home to 2,498 residents with a population density of approximately 1200 people, which was true for the 2000 census. We now have over 2,600 residents and will have approximately 4,000 after the approved building plans are complete. Mr. Reynolds stated it was important to include the latest figures and projections in the document.

An unidentified resident asked if the parcels are prioritized once you identify the ones you want to acquire. Mr. Reynolds stated it could be prioritized once we have the vision of what is important. The resident asked how much protection you get with a steep slope ordinance. Mr. Reynolds stated that it depends on the way the ordinance is worded and it will typically lower the density of development. The resident then asked about priorities. Mr. Reynolds stated they provide some ranking of water resource values and explained protection zones to forbid highly contaminable activities near drinking water. He stated that any land not protected by law or deed restriction is potentially developable.

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

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

Mayor Budesheim stated that he was very impressed by the depth and detail in the plan. Mr. Reynolds offered comment cards and business cards for anyone interested.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported on the Third Round COAH submission that was rejected by the State. He stated that our biggest problem is that we used overlay zones and they are not being permitted by the State. There was discussion regarding the matter

BOROUGH ENGINEER REPORT (continued):

and Mr. Darmofalski suggested contacting the COAH planner to clarify the numbers and get direction.

Mayor Budesheim stated that they have indicated a section of Riverdale is in Highlands Preservation. He also stated that the Riverwalk project developer does not want to include his COAH requirement in the overlay zone. He would like to develop a four-acre site on South Corporate Drive strictly for COAH. The Mayor said that if that is the case we could declare that parcel as COAH. He said we don't want to change the other overlay zones to strictly COAH. There was discussion regarding our requirements. Mayor Budesheim stated he also wants to get clarification on rehabilitation. It was decided to contact the planner as Mr. Darmofalski had suggested

Mayor Budesheim reported the owner of 22 Overlook Drive claims that his house was not built according to the survey and he only has a 5 foot instead of a 15 foot side yard setback. Borough Engineer Darmofalski will look into the matter. He also stated he spoke with Mrs. Varella regarding the pipe at the end of Van Duyne and it seems to be functioning. He will discuss it with DPW Superintended Mahon. Mayor Budesheim asked if their bond could be released.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to authorize the release of the "Varella" Bond being held in Escrow upon approval of the Borough Engineer.

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

Mr. Darmofalski gave a status report on the Senior Community Center construction. It is excavated and the foundations are in. There was some vandalism over the weekend and they will be installing some security fencing this week. He reported the applications for State aid are due the end of June and recommended the application be for Federal Place and Halsey Avenue. The project would include replacing curbs, sidewalks, pavement, and drainage and the cost will be in excess of \$650,000. He said this would make the sewer project for those streets a high priority. Councilman Carelli asked how the lineal footage of surface of this project compared with Morris Avenue. Mr. Darmofalski stated that project was done four years ago and prices were about half of today's cost. Mr. Carelli stated the cost was only \$115,000. Mr. Darmofalski said we did not do drainage that is needed on Halsey and Federal, sidewalks and aprons are \$110,000 and curbing is about \$70,000. He said that when the State does their inspection, the project would certainly qualify. There was discussion regarding the project. Mr. Darmofalski stated the next application will go to the Pequannock River Basin Regional Sewage Authority for their endorsement. He reported he had an inspection meeting with Rock Creek. He was not happy with the preliminary as-built and is still waiting for information. He will give a report of estimates to do the physical improvements in June. He reported a quarry inspection will be done Friday and the survey for Mathews Avenue is underway. He reported bids were requested from Mr. Becker for repairs to all dips in pavement on the Newark Pompton Turnpike. He anticipates it will be a two-day project. The Board of Education has requested an estimate for field improvements. The project includes a baseball and softball field, a walkway, milling and paving the parking area and some sidewalk repairs at a cost in excess of \$300,000. Councilman Guis asked for the status of the riverbank stabilization project. Mr. Darmofalski stated that the County money is still available he has to make the application to the state for the DEP permits.

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:25 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

The Special Meeting of the Mayor and Council opened on the above date at 8:00 a.m.

Mayor William Budesheim presiding.

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

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

THE PURPOSE OF THIS SPECIAL MEETING IS TO ACT ON A RESOLUTION TO APPROVE A SPECIAL EMERGENCY TO FUND THE MASTER PLAN PROJECT.

ALSO TO TAKE ACTION ON THE APPROVAL OF A PROFESSIONAL AGREEMENT FOR ENGINEERING/PLANNING SERVICES FOR THE MASTER PLAN PROJECT.

ORDINANCES:

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

ORDINANCE 16-2006

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION N.J.S.A. 40A-4:53 PREPARATION OF A MASTER PLAN TO CONFORM TO THE PLANNING LAWS OF THE STATE.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 65-A

RESOLUTIONS:

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

- 1) **Resolution No. 50-2006;** Authorizing a Professional Services Agreement between the Borough of Riverdale and Clough Harbour & Associates LLP, contingent on funds being available upon adoption of Ordinance 16-2006.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 65-B

ADJOURNMENT:

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

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

Adjourned: 8:10 a.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

ITEMS FOR DISCUSSION (continued):

- 3) Engineering Estimate for NJDOT State Aid Application – Federal Place and Halsey Avenue.

No discussion.

- 4) Letter from the Morris County MUA regarding Water Conservation Measures.

Mayor Budesheim stated that this would be included in the next newsletter.

- 5) Ordinance No. 14-2006 – Creation of a Riverdale Alliance Commission.

It was decided the name should be Riverdale Alliance Committee rather than Commission.

NEW BUSINESS:

Municipal Clerk requests that the Governing Body consider an ordinance to establish OPRA fees.

Borough Attorney Oostdyk stated that the Borough Clerk is getting a fair amount of OPRA requests and recommends we adopt an ordinance to establish fees. Mayor Budesheim stated he thought the OPRA law established fees at 75, 50 and 25 cents per copy. Mr. Oostdyk stated that is only a maximum for photocopies and we can charge an additional service charge for requests that require additional time or research. Mayor Budesheim asked if someone who wants only to view documents but does not want copies would still have to fill out an OPRA request form. Mr. Oostdyk stated that they do because we should still have a record of making the record available to them. He said it is good to have a record but we don't have to mandate that for everything. For example if someone wants to look at the municipal budget they should be able to view it. Deputy Clerk Forbes stated that we have not established fees for a request in other mediums such as a CD. Police Chief Soules stated that attorneys request VCR tapes. Borough Attorney Oostdyk stated we can charge our cost to reproduce the tape but we cannot profit from it. He will work with Borough Clerk Talerico to prepare an ordinance.

MAYOR REPORT:

Mayor Budesheim asked if the Van Ness property should be named as a park. Borough Attorney Oostdyk stated that it should. The Mayor said that tractor-trailers have been parking overnight at Appelt Park and Van Ness. Borough Attorney Oostdyk said that he didn't think we had an ordinance prohibiting parking on borough property. It was decided he would prepare an ordinance prohibiting overnight parking at all municipal facilities. Mayor Budesheim then asked who established the 30 mph speed limit on the small, winding roads at the Horton site. Borough Engineer Darmofalski stated he does not agree with it but it is a private road. The Mayor designated Councilwoman Wetzel to attend the school graduation on June 21st. Mayor Budesheim reported on the joint meeting with the Planning Board last Thursday regarding the Master Plan. We will be setting up committees to look at open space and redevelopment on Hamburg Turnpike from Pompton Lakes to the Bloomingdale border. He stated we would pay special attention to the quarry because it has about 8 to 10 years left. He presented the idea of a stadium similar to the Mercer County Waterfront Park, which is a minor league baseball stadium that seats about 6,000 people and covers 80,000 square feet. There are 70 acres flat on the floor of the quarry and 10 acres would accommodate a minor league baseball stadium and parking. He said we could also try to get a hotel chain and this could spur the revitalization of the Hamburg Turnpike. He said we have a lot of years to work on it but now is the time to consider the zoning. Borough Engineer Darmofalski stated there is

MAYOR REPORT (continued):

a need for active recreation fields in this area and the idea should be passed along to the planner for consideration. The Mayor then stated that he met with the DOT on behalf of Target to work out the traffic light situation and we should get an answer from them today. He said he also spoke with someone from the DOT regarding the property behind the municipal building and he was told we are close to getting it.

BOROUGH CLERK REPORT:

No report.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalski reported that the concrete slab was poured at the Senior Community Center today. Everything is well coordinated with the contractor. Also, the application for State aid for Halsey and Federal will be on the next agenda for approval. He announced that he received the as-builts for Rock Creek Crossing and has sent a copy to Mr. Ryden. He said he did an inspection on the site and prepared an estimate but it is in excess of the \$210,000. Once we get Mr. Ryden's comments and estimates he will ask the Mayor and Council for release of certain monies since the developer doesn't plan to do any of the improvements. He will forward a draft copy to the developer after review by the Borough Attorney. He also reported the survey for Mathews Avenue is due in approximately three weeks. Mayor Budesheim stated that he had a drawing of the property at the end of Mathews Avenue and asked Mr. Sky Ball if he would like to review the design for the intersection. Borough Engineer Darmofalski explained the drawing to Mr. Ball and said he would meet him at the site once the survey is complete to answer his questions. Mayor Budesheim asked Mr. Darmofalski to review the request for lighting reimbursement from the Powder Mill Condominium Association.

COMMITTEE REPORTS:

Councilman Falkoski reported that dispatcher McKay will be attending the Police Training Academy. The Police Chief recommends the appointment of James Nolan for the position of interim full-time dispatcher until dispatcher Hollenstein returns from Iraq. Mr. Falkoski also reported on the status of the meetings to be scheduled with the Fire Department officers.

Councilman Guis reported on the construction of the Senior Community Center. He reported that we are still waiting for Butler to send people to help train our men with the Vac truck. He thanked the Borough Attorney for resolving the situation with the salter we purchased last year. It will be returned to the vendor for a refund. He said that we have been advertising for a custodian for the DPW and another employee has been out on disability. An additional problem is scheduling vacations since the DPW Superintendent doesn't allow vacations from November through March due to snow.

Mayor Budesheim reported that Sewer Engineer Bill Ryden is having aerial topographies done to determine which streets can be sewered from the existing trunk lines. Councilman Guis stated that we are trying to integrate the requirements of the Shade Tree Commission with those of streets and roads, sewer and water.

Councilwoman Wetzel reported that there has not been a response to her requests for donations for the summer concert series. She stated that the cost for fireworks is \$2500 and there are other advertising costs. She is hoping to get a sponsor in time to include them in the advertising on the flyer. She said the Boy Scouts would be selling hot dogs and she will be in touch with the food vendor. She also said that she needs assurance we

COMMITTEE REPORTS (continued):

will have our own showmobile before she cancels the reservation with the county. Mayor Budesheim will verify that it is on schedule.

RESOLUTIONS:

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

- 1) Approval of bills to be paid for Summer Recreation Program as follows:
 - a) Land of Make Believe - \$1,920 Maximum
 - b) Amazing Amusements - \$1,000
 - c) Ringwood State Park - 3 visits @\$110 each
 - d) Unirents - \$138.80 (popcorn machine)
 - e) Hackers Audio Video - \$595.00 (screen rental)
 Other Invoices:
 - f) R. Febbi Contractor - \$5,888.00 (Senior Center)
 - g) Hatch Mott MacDonald - \$1,292.25 (TCR Escrow)
- 2) **Resolution #51-2006;** Cancellation of Taxes, Block 3 Lot 25 – 211 Hamburg Turnpike, LLC – amount \$7,815.67.
- 3) Resolution to appoint James Nolan as a full-time temporary dispatcher at a salary of \$30,000 per year effective July 10, 2006.

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

COPY OF RESOLUTION IN FULL ON PAGE 70-A**ORDINANCES:**

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

ORDINANCE 16-2006

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION N.J.S.A. 40A:4-53 PREPARATION OF A MASTER PLAN TO
CONFORM TO THE PLANNING LAWS OF THE STATE.

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

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

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

ROLL CALL: Ayes: Wetzel, Guis, Falkoski
Nays: None
(3 ayes – 0 nays - motion carried)

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 16-2006 as read on second reading at this meeting, be adopted and finally passed.

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 71-B

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:00 p.m.

APPROVED:

Respectfully Submitted:

William Budesheim, Mayor

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

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

Mayor William Budesheim presiding.

ROLL CALL: Present: Bush, Wetzel, Guis, Astarita, Carelli, 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 Councilwoman Wetzel, that the public portion be closed.

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

APPROVAL OF MINUTES DATED: May 15, 2006 - Regular Meeting
May 18, 2006 - Special Meeting
June 5, 2006 - Workshop Meeting

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

ROLL CALL: Ayes: Bush, Wetzel, Guis, Carelli, Falkoski
Nays: None
Abstain: Astarita, Carelli (May 18 only), Bush (June 5 only)
(5 ayes – 0 nays – 3 abstain - motion carried)

ORDINANCES:

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

ORDINANCE 14-2006

**ORDINANCE AMENDING CHAPTER 56 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF RIVERDALE AND CREATING A
RIVERDALE ALLIANCE COMMITTEE**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 72-A

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

ORDINANCES (continued):

ORDINANCE 17-2006

ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND ESTABLISHING FEES FOR SPECIAL SERVICE CHARGES AND SPECIAL CHARGES UNDER THE NEW JERSEY OPEN PUBLIC RECORDS LAW

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 73-B

Discussion regarding the rental fees and insurance took place prior to the introduction of Ordinance 18-2006.

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

ORDINANCE 18-2006

ORDINANCE AMENDING CHAPTER 95 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND PROVIDING FOR FEES FOR THE RENTAL OF THE BOROUGH SHOWMOBILE

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 73-C

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

ORDINANCE 19-2006

ORDINANCE AMENDING CHAPTER 123 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND PROHIBITING OVERNIGHT PARKING AT MUNICIPAL PARKS AND FACILITIES

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 73-D

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

ORDINANCE 13-2006

AN ORDINANCE PROHIBITING THE USE OF LOW SPEED VEHICLES ON MUNICIPAL STREETS AND ROADS

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

ORDINANCES (continued):

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.

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 13-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 74-E

6) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 15-2006**ORDINANCE AMENDING CHAPTER 136 OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF RIVERDALE AND ESTABLISHING
SEWER RATES.**

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

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

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

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 15-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 74-F**RESOLUTIONS:**

Councilman Falkoski asked who previously held the liquor license that is being transferred to Chili's as referenced in resolution 54-2006. Mayor Budesheim stated it was Slaters. Councilman Falkoski then asked for the rationale of resolution 57-2006. Mayor Budesheim stated that our appraiser had determined the re-val was over assessed. The appraiser established the true value and all agreed. Councilman Falkoski stated his

RESOLUTIONS (continued):

concern that resolution 56-2006 could adversely affect towns with flooding problems. Mayor Budesheim stated there are now regulations and protocol in place to give warning when they open the dams.

Mayor Budesheim stated that AHR Consulting has done an evaluation of our computers and they have been approved to manage our website. He recommended they be approved to service our computers since Joe Chromcik is now in Fairfield. They are insured and bonded and are located in Riverdale. Councilman Guis suggested that we authorize AHR to start some of the repair work while Councilman Carelli and Borough Clerk Talerico evaluate the proposed service plans. Councilman Carelli stated that he was quite satisfied when he met with AHR last year. There was discussion regarding the proposed service plans and cost.

Borough Clerk Talerico reported that the State of New Jersey has approved a \$3,000 Grant for a Community Forestry Management Plan.

Mayor Budesheim announced that the Open Space public hearing would be held at this time.

OPEN SPACE AND RECREATION MASTER PLAN PUBLIC HEARING NO. 2:

Eugene Reynolds of the Passaic River Coalition gave a visually aided presentation and discussed some of the findings and recommendations for the final draft of the Open Space Plan. Topics covered included the need for a recreation plan and the importance of the Pequannock River as a feature of the landscape. He also discussed a model ordinance for a Conservation Area Overlay District that was prepared by the Wildlife Conservation Society. He reviewed some of the ideas for the Glenburn site and ideas for creating a Pequannock River greenway. He also discussed water quality protection and stormwater management.

Mayor Budesheim stated the plan shows that we only have 4.8% of our acreage dedicated to recreation and/or open space. He would like that to increase to 20%, which would be 200 to 300 acres. He said the number one area we would like to protect is behind the Stoneleigh section. He announced that committees are being formed to review the master plan and redevelopment on Hamburg Turnpike.

Councilman Guis asked Mr. Reynolds whether septic or sewers are better from an environmental standpoint. Mr. Reynolds stated that it's a matter of density and soil.

Residents Augustine Pagan and Craig Silberman had questions regarding the proposed overlay district and high-density development. Mr. Reynolds suggested an overlay district for the entire western half of the borough. He said the overlay district would require quite a bit more information in the application to the Planning Board. He explained how the ordinance would help preserve forested and natural areas.

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

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

Mayor Budesheim thanked Mr. Reynolds for the presentation. He invited any interested residents to serve on a committee.

CORRESPONDENCE:

- 1) Fabrizio & Symone Negrini of 23 Van Duyne Avenue requesting to move their driveway to the right side of the house and close up the existing driveway that is now situated in front of the house extension. The width of the driveway would be 24' and the curb opening would be 16'. (copy of letter distributed to Governing Body)

It was decided to forward the letter to the Borough Engineer for review. Discussion will take place at the workshop meeting.

UNFINISHED BUSINESS:

- 1) Title 39 Request – Home Depot. (work in progress)
- 2) Easement Purchase Agreement – Global Signal – communications tower located at 106 Route 23 North, Riverdale. (To be bid)

Borough Attorney Oostdyk stated specifications were faxed to Global Signal and we are waiting for a response from their attorney that they are prepared to bid.

MAYOR REPORT:

Mayor Budesheim reported that the police have issued a summons to North Jersey Media Group for the mailers that end up in the street.

BOROUGH CLERK REPORT:

No report.

BOROUGH ATTORNEY REPORT:

No report.

COMMITTEE REPORTS:

Councilman Falkoski reported the Municipal Court Report for May 2006. He also reported the Fire Department Report for May 2006.

Councilwoman Wetzel reported the showmobile is in. She also reported the work on the Senior Community Center is going well.

Councilman Astarita reported that the repair work at the library has been started.

Councilwoman Bush reported that she would make inquiries in the community to see if anyone is interested in becoming a member of the Municipal Alliance Committee.

RESOLUTIONS (continued):

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

- 1) Payment of Claims.
 - a) Powder Mill Development Assoc. – Street Lighting \$ 2,148.00
 - b) Event Production & Management – Balance on Show Mobile \$ 23,705.00
- 2) Approval of escrow payments for various engineering fees as follows:
 - a) Paul Darmofalski, P.E. - K&K Developers \$ 6,928.00
 - b) Paul Darmofalski, P.E. - Majestic Homes \$ 500.00
 - c) Paul Darmofalski, P.E. - D.R. Horton \$ 5,585.00

RESOLUTIONS (continued):

- | | | | | |
|----|----------------------------|---|--------------------|--------------|
| d) | Anderson & Denzler -April | - | Riverdale Crossing | \$ 5,870.14 |
| e) | Anderson & Denzler – May | - | Riverdale Crossing | \$ 11,083.08 |
| f) | Anderson & Denzler - April | - | D.R. Horton | \$ 2,841.30 |
| g) | Anderson & Denzler – May | - | D.R. Horton | \$ 2,790.63 |
| h) | Anderson & Denzler – May | - | Majestic Homes | \$ 70.90 |
| i) | Anderson & Denzler – May | - | Alexan-Riverwalk | \$ 130.00 |
| j) | Hatch Mott MacDonald | - | Alexan-Riverwalk | \$ 1,200.20 |
- 3) **Resolution No. 51–2006-A;** Approval of Settlement of Tax Appeal – 90 Route 23 Associates v. Riverdale – Block 40 – Lot 4.06 – Appeal year 2005 – Assessment \$1,780,500.00 – Settlement - \$1,600,000.00.
 - 4) **Resolution No. 52–2006;** Resolution Agreeing to Assume Jurisdiction over a Traffic Light to be Installed in Connection with the Target Development.
 - 5) **Resolution No. 53–2006;** Authorizing the application to the Commissioner of Transportation for an allotment of aid for the improvement of Federal Place and Halsey Avenue, requesting funding of \$598,100 state funds with Riverdale Borough contributing \$78,000.
 - 6) **Resolution No. 54–2006;** Authorizing the renewal of the 2006-2007 Liquor Licenses with exception of the Brinker Inc. (Chili's) license, which requires a Special Ruling by the ABC.
 - 7) **Resolution #55-2006;** Lien Redemption.
 - 8) **Resolution #56-2006;** Support of Pequannock River Flow Restoration.
 - 9) **Resolution #57-2006;** Approval of settlement of Tax Appeal Riverdale South.
 - 10) Change Order for Event Production (show mobile) – optional change to hitch for a 2-5/16 inch ball in the amount of \$400.00.
 - 11) Resolution to approve payment to AHR Consulting not to exceed \$1080 per month plus \$1,000 set-up fee, contingent on evaluation by Councilman Carelli and the Borough Clerk.
 - 12) Resolution authorizing the Mayor to execute the agreement with the State of New Jersey for a \$3,000 Forestry Management Plan Grant.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 77-G, H, I, J, K, L, M AND N

Mayor Budesheim reported that our Construction Code Official would like to retire and scale back his jobs from seven towns to two, Riverdale and Butler. The Mayor stated that in consideration of construction taking place for the next few years it would be beneficial to continue with the same department head. He explained that the state law allows you to retire and earn up to \$15,000 per year without affecting your pension. The Mayor stated that Butler is currently paying about \$30,000 per year we are paying about \$32,000 of his salary. He is requesting a vehicle for his use and a salary of \$5,000 from Riverdale and a \$10,000 salary from Butler. The Mayor said this proposal would save each municipality about \$20,000 and we would receive the same service. The Construction Code Official would be required to retire for 30 days and we could then appoint him for a period of four years. After that time we can evaluate whether this arrangement is working. There was discussion regarding his hours, responsibilities, and the vehicle. Mayor Budesheim stated that a \$22,000 vehicle amortized over four years would cost \$6,000 to \$7,000 per year. He stated that the borough would only pay for the gas needed for the job. Councilman Falkoski stated he is concerned that the unrestricted vehicle use may cause conflict with other areas. He said we would have to make it very clear to other parties that the car is part of a negotiation.

RESOLUTIONS (continued):

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to appoint Joe Montemarano to a four-year term as Construction Code Official after his retirement at a salary of \$5,000 per year and unrestricted use of a borough vehicle that will remain borough property.

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

Mayor Budesheim then stated that the police receive the highest salary when they do outside work that is being paid by a contractor. He suggested that the DPW employees receive \$40 per hour when they do outside work for a contractor with the showmobile.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to approve a salary of \$40 per hour for employees working with the showmobile when an outside contractor is billed for their service.

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

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:20 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

ROLL CALL: **Present:** **Bush, Wetzel, Guis, Astarita, Carelli, 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 Councilwoman Wetzel, to close the public session.

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

ORDINANCES:

1) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 18-2006

**ORDINANCE AMENDING CHAPTER 95 OF THE REVISED GENERAL
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND PROVIDING FOR
 FEES 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 Falkoski set forth the motion, seconded by Councilwoman Wetzel, to close the public session.

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

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Bush, **RESOLVED** that Ordinance No. 18-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 79-A

COMMITTEE REPORTS:

Councilman Falkoski reported on the issue of the vehicle usage policy, particularly regarding the Fire Department, which had been discussed at the May 1st workshop meeting. The policy had been put on hold until the Fire Department could come in to

COMMITTEE REPORTS (continued):

discuss the issue. He explained that the fuel mileage logs indicate car No. 35 is being used to commute to work and that is something the governing body did not want.

Fire Chief Pat Cleary stated the policy they had been following was described in a memo to Mayor Dedio dated July 15, 1999. He read the memo and guidelines and stated the only deviation from this policy was after a discussion with Mayor Budesheim. He said Mayor Budesheim agreed that they could use the vehicles throughout the town such as to ballgames or the store. Councilman Falkoski stated the old policy seems to conform to the new policy. Fire Chief Cleary stated the difference is that they had been allowed to use the vehicles for non-borough business within a 10-mile radius of town. He also stated that Mayor Budesheim had agreed it would be reasonable drive around town on personal business with passengers such as driving their kids to a ballgame. He stated that the vehicles and equipment were purchased by the Borough to be used for emergency response and they would be negligent if not used. The Council agreed that they were not aware a previous memo or policy existed. Fire Chief Cleary said he wrote the memo to document the meeting that had taken place at that time. Councilman Astarita asked if there were IRS issues when a borough vehicle is used for commuting to work. Chief Financial Officer Sesholtz stated that he did not know the exact guidelines. There was a brief discussion regarding the need for two command vehicles if both are taken out of town. Councilman Falkoski stated he did not think the vehicles should be used to commute to work. Councilman Astarita stated his concern is liability with non-firematic passengers and whether there are IRS regulations regarding commuting. Councilman Guis stated he agreed it is reasonable to drive with passengers to a ballgame but felt at least one command vehicle should remain in town during the day. Copies of the 1999 guidelines were distributed to the Council and there was additional discussion regarding the matter.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Falkoski, to approve the Guidelines for Use of Fire Chief's Vehicles as outlined in the memo from Fire Chief Pat Cleary to Mayor Dedio dated July 15, 1999.

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

COPY OF GUIDELINES FOR USE OF FIRE CHIEF'S VEHICLES IN FULL ON PAGE NO. 80-B

Councilman Guis reported on quotations for salt spreaders. He will have more detailed information at the July 17th meeting.

Councilman Astarita reported that Stucco Doctor has completed contractual obligations on the library. Today they were having trouble with the lower floor air conditioning unit.

Borough Clerk Talerico reported the air duct system in the municipal building has never been cleaned. After discussion it was agreed she would contact several cleaning companies for information.

Councilwoman Bush reported she had received some responses from people interested in the Municipal Alliance Committee. She will contact them and have a meeting the end of July.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported on a request to extend curb cuts from William Revis and Kevin Ball of 25 and 27 Arlington Place. There was discussion regarding the request and it was decided the Borough Engineer should review it. Borough Clerk Talerico stated that the Borough Engineer billed us \$168.00 for the last request on Loy Avenue and asked if we should collect escrow money from residents to cover these fees. There was discussion regarding the matter. It was decided escrow will be required until the Borough attorney prepares an ordinance to establish fees. Borough Clerk Talerico then reported that she contacted General Code regarding fees that were left out of the water ordinance. It was determined that we had advised them the fees would change annually and need not be codified. There was a brief discussion regarding the matter and the Borough Attorney will handle it. Borough Clerk Talerico also reported that the Bicycle Touring Club of Northern New Jersey will be riding through Riverdale during their rally on August 20th.

MAYOR REPORT:

Mayor Budesheim reported that he is concerned with incidents involving fireworks in his neighborhood. There was a discussion regarding the matter.

RESOLUTIONS:

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

- 1) Approval of Payments:
 - a) Ron Efford - Sports Day – 7/11 \$1,000.00
 - b) Street Lighting - Rock Creek Crossing \$6,020.13
- 2) **Resolution #58-2006;** Authorizing DPW Supt. Walter Mahon limited power of attorney to act on behalf of the Borough of Riverdale to Register Vehicles and conduct other transactions with the department of motor vehicles.
- 3) **Resolution #59-2006;** Chapter 159 for Alcoholic Education & Rehabilitation Financing in the amount of \$1,650.66.
- 4) **Resolution #60-2006;** Authorizing a fee of \$350 per hour for Special Sessions for the Magistrate and Prosecutor, to be funded by the Alcoholic Education & Rehabilitation Fund.
- 5) Approval of quotation to Wayne Johnson & Sons Roofing in the amount of \$4,420 for the asphalt roof with flashings for the Riverdale Senior Center. (Borough Engineer Paul Darmofalski, P.E solicited 3 quotes.) P.O. to be issued upon receipt of BRC Certificate from the vendor.
- 6) Approval of quotation to Jim Becker for repairs to low pavement at intersecting streets Newark Pompton Turnpike – not to exceed \$2,200.00.
- 7) Resolution to appoint the following as Junior Firefighters for the Riverdale Volunteer Fire Department.
 - a. Ryan Patrick Cleary
 - b. Anthony Brian Budesheim
- 8) Approval of curb cut at 23 Van Duyne Avenue. (Tabled at June 29, 2006 meeting and referred to Borough Engineer for comment).
- 9) **Resolution No. 61-2006;** Authorizing Mayor Budesheim to execute New Jersey Department of Environmental Protection TWA permit applications for Alexan at Riverwalk North and Alexan at Riverwalk South.
- 10) **Resolution No. 62-2006;** Approval of Tax Appeal Settlement with Riverdale Square, LP v. Riverdale as follows: Year 2005 – Assessment-\$10,307,000.00 – Settlement - \$10,000,000.00 – Year 2006 – Assessment-\$10,207,000.00 – Settlement \$10,000,000.00.

RESOLUTIONS (continued):

- 11) Approval of waiving municipal OPRA fees for the Pequannock River Coalition for copies of public documents requested for their work on creating a Natural Resource Inventory for the Borough of Riverdale.
- 12) Authorizing the Shade Tree Commission to have stumps ground by Peterson and Sons Tree Service, or another vendor if a lower price can be obtained, at a cost not to exceed \$1,800.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 82-C, D, E, F AND G.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:50 p.m.

Respectfully Submitted:

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

ORDINANCES (continued):

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

2) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 17-2006

ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND ESTABLISHING FEES FOR SPECIAL SERVICE CHARGES AND SPECIAL CHARGES UNDER THE NEW JERSEY OPEN PUBLIC RECORDS LAW

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

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

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

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 17-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 84-B

3) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 19-2006

ORDINANCE AMENDING CHAPTER 123 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND PROHIBITING OVERNIGHT PARKING AT MUNICIPAL PARKS AND FACILITIES

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.

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Bush, **RESOLVED** that Ordinance No. 19-2006 as read on second reading at this meeting, be adopted and finally passed.

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 85-C

Mayor Budesheim announced that we had a candidate attending the Police Academy who had to drop out due to health reasons. The Mayor introduced Riverdale resident Anthony LoPorto who is currently attending the Academy.

Mr. LoPorto stated that he has been a Riverdale resident for over 20 years, served 4 years in the Navy and is now pursuing a career in law enforcement. He will graduate on December 7th and is looking forward to serving the community of Riverdale.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to issue a letter of intent to hire Anthony LoPorto upon graduation from the Police Academy.

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

RESOLUTIONS:

Councilman Guis reported that he has a quotation for \$23,900 for a Swenson spreader for the DPW. The representative from Unimog will review it for compatibility. He stated the life expectancy is 20 to 25 years.

Councilman Falkoski asked for clarification of the blank spaces in resolution 65-2006. Borough Attorney Oostdyk stated the Borough Engineer needs to approve the amount of escrow and the resolution would be approved contingent on his review and approval. Councilman Guis asked if the service road issue has been resolved. Borough Attorney Oostdyk stated the amount has not been finalized and will be built into the engineering estimate for that improvement. Councilman Guis also requested a reimbursement provision for security issues.

Councilman Astarita reported that Trane did an assessment of an air conditioning unit at the library and a fan motor needs repair. The cost is \$500 maximum.

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

- 1) Payment of Claims.
 Include: Pompton Lakes First Aid Squad 1st half - \$12,500
- 2) Approval of escrow payments for various engineering fees as follows:

a) Paul Darmofalski, P.E.	-	K&K Developers	\$ 10,910.00
b) Paul Darmofalski, P.E.	-	Majestic Homes	\$ 2,060.00
c) Paul Darmofalski, P.E.	-	D.R. Horton	\$ 12,400.00
d) Hatch Mott MacDonald	-	Alexan-Riverwalk	\$ 1,430.30
e) Paul Darmofalski, P.E.	-	Canella Escrow	\$ 168.00
f) Anderson & Denzler Assoc.	-	K&K Developers	\$ 8,886.11
g) Anderson & Denzler Assoc.	-	Alexan Riverwalk	\$ 598.30
h) Anderson & Denzler Assoc.	-	D.R. Horton	\$ 620.26
i) Anderson & Denzler Assoc.	-	Rock Creek Cross	\$ 574.38

RESOLUTIONS (continued):

- 3) Approval of purchase of KEG 1.0" Nozzle Kit for the water department from Pierce Equipment Company, Somerville, NJ, in the amount of \$4,911.00. It has been established by DPW Supt. Walt Mahon that this is a sole source provider.
- 4) **Resolution No. 64-2006**; Authorizing Mayor Budesheim to endorse an application for time extension to the DEP for the water system improvements at Alexan. (as recommended by water engineer, William Ryden, P.E).
- 5) Approval of the purchase of a spreader for the DPW department as presented by Councilman Ted Guis at a cost of \$23,900, subject to review by Unimog for compatibility.
- 6) Resolution of the Governing Body to accept Canine's certified by the Morris County Sheriff's Office for Substance Detection under the following ownership:
 - a. K-9 Cubby – owned by Sgt. John Peine of the Riverdale Police Department
 - b. Dugan – owned by Patrolman Pat Harden of the Riverdale Police Department.
- 7) **Resolution No. 63-2006**; Special Item of Revenue and Appropriation – Chapter 159 – Clean Communities Program - \$4,000.00.
- 8) Resolution to confirm Mayor's appointment of Jeffrey Strauss of 5 Overlook Drive, Riverdale as a member to the Board of Health.
- 9) Resolution to declare copy machine tagged #000677 as scrap, no longer useable or repairable.
- 11) Resolution to authorize Trane to repair library air conditioning unit fan motor at a cost not to exceed \$500.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 86-D, E, AND F**UNFINISHED BUSINESS:**

- 1) Title 39 Request – Home Depot. (work in progress)
- 2) Easement Purchase Agreement – Global Signal – communications tower located at 106 Route 23 North, Riverdale. (To be bid)

Borough Attorney Oostdyk reported that Global Signal's in-house counsel is reviewing the issue and will get back to us.

- 3) Application for soil mining permit submitted to Borough Engineer for approval 07/07/2006.

Borough Clerk Talerico stated that the Borough Engineer has not approved the soil mining permit at this time.

- 4) License Agreement to install an 8" sewer line crossing for the Paterson Hamburg Turnpike Sewer Extension with the New York, Susquehanna & Western Railway Corp.

Mayor Budesheim stated that this will be acted on at the next workshop meeting.

- 5) Riverdale Open Space Plan approval by Governing Body

Mayor Budesheim stated this would first be discussed with the Planning Board.

CORRESPONDENCE:

- 1) From the Morris County Community Development advising the Governing Body that the 2004 Community Development Block Grant for the Senior Center construction has been closed out and the final check in the amount of \$68,560 was processed on June 28, 2006 (received). We would like to thank Carol Talerico and Paul Darmofalski for their cooperation, and we look forward to continuing our relationship on future Community Development activities.
- 2) Morris County Board of Freeholders advising they have approved funding in the amount of \$35,232.00 to the Van Ness House project. This grant will assist with the preparation of a Preservation Plan for the house, outbuildings and site, as well as exterior painting and column repairs. (copy of letter distributed to Mayor & Council)

Councilman Astarita stated that we can apply for a Community Development grant this year since there is now only one outstanding.

MAYOR REPORT:

Mayor Budesheim reported that he prepared a letter to mail with the tax bills.

The Mayor stated that he reviewed the Target Developers Agreement and noted the following items need to be addressed: sewer fees, a restoration bond, security and public nuisance.

BOROUGH CLERK REPORT:

Borough Clerk Talerico stated that a resident has inquired about using the new Senior Community Center for a party. She suggested the governing body consider putting an ordinance in place setting parameters for the use of the building. Councilman Astarita stated the Fire Department is also still waiting for guidelines to rent out their hall. There was discussion regarding the issue and it was decided to establish criteria for utilizing both locations. Borough Clerk Talerico then advised the council that an ordinance can be passed authorizing the Municipal Clerk to approve raffle licenses. She also advised that the fees in the water and sewer connection fee ordinance were for 2004 and 2005 and need to be updated for 2006. Discussion took place and it was determined that Ordinance 10-2006 established the fees. Borough Clerk Talerico asked for parameters for handling reimbursements of snow plowing and street lighting. Borough Attorney Oostdyk stated that they get the lesser of either what they spend or what it costs the borough to provide the service to borough residents. Councilman Guis stated there is a system in place for snow plowing costs and he can provide the numbers every April. It was decided to notify the parties that snow plowing reimbursement will be approved each year at the May Council meeting. It is still not clear which of the electric bills from Rock Creek are for street lighting. Councilman Guis will work on it.

COMMITTEE REPORTS:

Councilman Carelli reported that the Shade Tree Committee has been addressing the issues that resulted from the windshield survey. The highest priority is the trees that need to come down right away. The cost using the Morris County Co-Op pricing for removal and stump grinding is approximately \$16,000 which was not budgeted. JCP&L will take down about 16 trees around wires. The estimate to remove the remaining trees is \$6,500. There was discussion regarding whether the DPW would be capable of removing some of the smaller diameter trees. Councilman Carelli then reported on the new tax bills that will be mailed this week.

COMMITTEE REPORTS (continued):

Councilman Falkoski reported that the Fire Department has inquired whether the DPW can remove copper wires from an old fire alarm. Councilman Guis stated that the chief should mark the wires and he will check into it. Councilman Falkoski then reported that the Fire Department will be celebrating their 100th Anniversary in 2007. He reported the Fire Department report for the month of June 2006. He also reported the Municipal Court Report for June 2006. He reported receipt of letters from both the Morris County Prosecutor and the Victim Witness Coordinator commending the work of Lieutenant Richard Roemmele. He then reported that both he and the Police Chief believe the current Police Secretary is being inadequately compensated for her position. He commended her performance and ability and said she has become certified as a matron and in blood born pathogens. She is currently working 25 hours per week. He recommended that her salary be increased to \$16.48 per hour which is what the previous secretary would have been earning. Discussion took place regarding availability of the money for the increase. It was decided to approve the increase providing the finance officer certifies the available of funds in the budget.

Councilman Guis reported that the DPW hired a part-time employee for the summer and the position may convert to full time. He also reported on the progress of the Senior Community Center building. He said the DPW department has been putting stucco on the building and they also have a crew working in the school locker room. He reported that the glitches with the electrical system at the concerts have been resolved.

Councilwoman Wetzel reported the new showmobile is working out well. She also reported the Board of Health has received a letter from the attorney for Lincoln Park advising the Interlocal agreement will be terminated as of October 31st. She said that Pat Pignatelli will be working full time in Lincoln Park and that will leave us without a Health Officer. She has been working with Mayor Budesheim to investigate options.

Councilman Astarita reported that the leak repair work at the library appears to have been successful. He requested the DPW repair the two areas where the leaks occurred.

Councilwoman Bush reported that she would advise the Morris County Alliance that we have established the Municipal Alliance Committee by ordinance and will have a late summer meeting and begin work in the fall.

RESOLUTIONS (continued):

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

- 10) **Resolution No. 65-2006;** Approval of Target Developers Agreement, subject to added provisions.
- 12) Approving salary increase to \$16.48 per hour for Police Secretary Terri Pellegrini, providing the Finance Officer certifies that funds are available in the budget.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 88-G

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:15 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

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

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

Presentation by representative of AHR Consulting regarding the upgrade of the Borough's computers, system and servers.

Anton Ruighaver of AHR Consulting reported on their assessment of the Borough's computer system and needs. He stated there is quite a bit of disparity as it relates to licensing and proper software installation and made recommendations for remediation. He answered questions from resident Marco Giunta and the governing body. He also provided detailed recommendations and cost estimates. There was discussion regarding Internet connections in various borough departments and buildings. Borough Clerk Talerico reported on the quotation she received for the Edmunds software upgrade.

Mayor Budesheim introduced Marin Graure from GAC Environmental. He stated that Mr. Graure called him today to express interest in donating his services to scrape and paint the Van Ness house and to fix up the barn and the country store. In return he would need to keep his equipment at the site throughout the project and he estimates that would take two to three years. Mr. Graure stated that he is an environmental contractor who grew up in Bloomingdale and always admired that residence. He said he visited the site to evaluate the condition of the buildings. What he needs in return is storage space in the barn and parking space for two mobile trailers, one or two vans and a truck. He answered questions from the governing body. The equipment he would keep at the site would include ladders, air cleaners, and vacuums that would be stored inside. He explained the process for disposition of removed materials. Borough Attorney Oostdyk stated that we would have to determine the scope of work, the time frame and the value of the storage and have an agreement to protect both parties. There was discussion regarding the offer. Borough Attorney Oostdyk stated that we would first need to understand exactly what the arrangements would be and what conditions were placed on the county money that was used for the purchase. Mr. Oostdyk explained that it is not a matter of accepting donated services because we are giving something of value in return. It was decided the first step would be to do an assessment to determine the priority of needed repairs.

RESOLUTIONS:

Mayor Budesheim clarified the need for Resolution No. 69-2006; emergency appropriation purchase. He also stated that we need a council representative for the COAH Housing Committee. The committee would need to set up the criteria and start implementing COAH requirements for the D.R. Horton site. That would include advertising, screening applicants for eligibility and determine how to award the units. He

RESOLUTIONS (continued):

said that D.R. Horton would be managing it once it is done. Borough Clerk Talerico stated that the last time the COAH Committee met they only voted on how the COAH housing would be handled. She said the committee had decided the developer would pay for someone to handle the application process. Rock Creek used the State for this purpose and our office only provided applications. Borough Engineer Darmofalski stated that some things might have changed. He said that there has to be a committee appointed by the Borough of Riverdale and we still need state approval of our Third Round COAH. Borough Attorney Oostdyk stated that we do need to have a committee in place. He said that the developer has the ultimate choice of whether the units will be rental or sale. The committee will have the responsibility of enforcing the housing rules and regulations and be responsible for overseeing any agency that is handling the application process. He described some of the possible issues that could arise. It was decided to move the resolutions at the end of the meeting.

UNFINISHED BUSINESS:

- 1) Title 39 Request – Home Depot. (work in progress)

Borough Engineer Darmofalski reported the mapping is done and it will be sent to the Borough Attorney for final review.

- 2) Easement Purchase Agreement – Global Signal – communications tower located at 106 Route 23 North. (to be bid) – (Global's in house counsel is looking into this issue to see if they are still interested – will advise).

Borough Attorney Oostdyk stated that we are still waiting for their response.

- 3) Application for soil mining permit submitted to Borough Engineer for approval on 07/07/06.

Borough Engineer Darmofalski stated the application was denied due to insufficient information and he has been in contact with the applicant.

- 4) License Agreement to install an 8" sewer line crossing for the Paterson Hamburg Turnpike Sewer Extension with the New York, Susquehanna & Western Railway Corp.

Borough Engineer Darmofalski stated everything is in place until we go to bid and have a contractor.

- 5) Riverdale Open Space Plan approval by Governing Body.

Borough Attorney Oostdyk will determine if any additional formal action is required.

- 6) Approval of renewal of Brinker's NJ, (Chili's) liquor license. (waiting for approval of Special Ruling from the Attorney General's Office)

Borough Clerk Talerico stated she is still waiting for the Special Ruling and will follow up with the ABC. It can be voted on up until September.

- 7) Riverdale – Lincoln Park Sewerage Transfer Agreement.

UNFINISHED BUSINESS (continued):

- 8) Finalization of Target Developers Agreement when final wording is corrected and agreed upon by respective attorneys, and placement of the Developers Guarantee.

Mayor Budesheim stated the Target Developers Agreement was signed.

- 9) Ordinance establishing new Road Opening Permit regulations with regard to curb cuts requested by homeowners.

Borough Attorney Oostdyk will have an ordinance for the next meeting.

- 10) Ordinance establishing guidelines with regard for use of the new Senior Community Center and use of the Fire Department building, by residents or organizations that request same.

Councilwoman Wetzel is working on the guidelines.

- 11) Approval of COAH Third Round Rules, and implementation.

NEW BUSINESS:

- 1) Probable re-negotiation with garbage/recycling hauler for pick up at the Alexan-D.R. Horton site on Route 23 North. (certificates of occupancy have already been issued and more are on the way).

Mayor Budesheim stated that we are allowed a certain number of residential units and he doesn't believe we've reached that yet. Councilman Guis stated they have trash compactors that require specialized equipment to get the garbage into the truck. He will evaluate the situation at the site and report back.

MAYOR REPORT:

Mayor Budesheim reported that he has been receiving complaints from residents regarding lack of coverage in the Suburban Trends. He asked the Borough Attorney for the requirements for a legal newspaper. Borough Attorney Oostdyk stated that it has to be published and circulated in the county. Borough Clerk Talerico stated she would check into deadlines and pricing prior to choosing a different newspaper. Mayor Budesheim also reported that we wouldn't know the status of the property behind the municipal building until the Armory finalizes plans for an addition on their building. He also said the Golden Sakura has advised us they will be going out of business and want to know if we are interested in the property. This was one of the locations we were considering to meet our COAH requirements. They are asking \$1,500,000.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that she received an OPRA request from a reporter at the Suburban Trends. The request is for general appropriations, budgets, population, average police salary and county tax rate for the years 1946, 1956, 1966, 1986 and 2006. She stated this would take an extreme amount of time and asked the Borough Attorney for advice. Borough Attorney Oostdyk stated that OPRA does not require the Clerk to do research work, only to provide documents. He said this request goes far beyond providing documents and many times this is done so newspaper articles can be written about how Clerks don't provide information. He stated that any information that is

BOROUGH CLERK REPORT (continued):

readily available should be provided but much of this is available more readily from other sources. He said the county tax rate is not a document and population is not a document in this office. The budgets should be made available. Borough Clerk Talerico then advised she had the following items for the next agenda: ordinance authorizing the Clerk to issue raffle and bingo licenses, County Co-Op pricing renewal, acknowledgment of library teen volunteers. She also stated the matter of the insurance company's reimbursement offer from the electrical fire on Newark Pompton Turnpike several years ago is still not resolved. There was discussion regarding the matter and Clerk Talerico asked how to proceed. It was decided Borough Attorney Oostdyk would take over the matter. Clerk Talerico also reminded everyone to review the audit comments and recommendations.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalksi reported on the progress at the Senior Community Center and the status of the sewer line on Hamburg Turnpike. He reported there was some trouble resolving some property line and deed issues on Mathews Avenue. He reported on his inspection of the quarry. They are in compliance with the exception of a broken water truck. The emergency access from the quarry to the Wal-Mart property was restricted due to people using it to steal from the Wal-Mart site. Wal-Mart has made a lot of progress and is planning to open in October. Mayor Budesheim stated that we had complaints last week about a resident filling in wetlands on his property. He went to speak with the resident and he said he had a permit. Borough Engineer Darmofalski stated that he did have a permit to fill low and dangerous areas and he will visit the site to be sure he is complying.

COMMITTEE REPORTS:

Councilman Falkoski reported that he had five letters from various police chiefs and residents commending various Riverdale police officers. The letters will be read and awards given at a public meeting. He stated that we can be extremely proud of our police department.

Councilwoman Wetzel suggested that we recognize D.R. Horton with a plaque or award for their generosity in contributing to the concert series for the last three years.

Councilman Astarita reported that there are again leaks at the library and he will contact the roofer. He contacted Fire Chief Cleary regarding the issues at the firehouse.

PUBLIC PARTICIPATION NO. 2:

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

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

CLOSED SESSION:

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

CLOSED SESSION (continued):

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

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

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

Councilman Astarita asked if pricing had been obtained for cleaning the air ducts in the municipal building. Borough Clerk Talerico stated she contacted three companies but does not have pricing yet. There was discussion regarding the possibility of the cleaning causing additional problems and it was decided it was not necessary. Clerk Talerico stated the filters should be changed once a month and she did not believe this was being done. Councilman Guis stated this could be done in house and he will check into it.

RESOLUTIONS:

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

- 1) Approval of Payments:

a) Kristin Appel	-	Summer Rec Supplies	-	\$ 151.28
b) Bella Casa Pizza	-	Summer Rec Program	-	\$ 60.00
c) LaGuardia & Assoc.	-	Final Payment-Concerts	-	\$14,500.00
d) Powder Mill	-	05/06 Snow Season	-	\$ 1,071.17
e) Rock Creek	-	05/06 Snow Season	-	\$ 2,142.35
f) James Castiglione	-	Fireworks 8/16/06	-	\$ 2,500.00
g) Borough of Lincoln Park – 1 st & 2 nd Qtrs. Services	-		-	\$17,926.32
- 2) Mayor to appoint following to the implementation of COAH Housing:
 - a) Paul Darmofalski, P.E. Planner
 - b) Marco Giunta COAH Committee Member
 - c) Garrett Astarita COAH Committee Member
- 3) **Resolution #66-2006;** You Drink and Drive, You Lose 2006 Statewide Crackdown.
- 4) Resolution of Governing Body setting a Cash Management Plan for the year 2006. (copy distributed to Governing Body)
- 5) Mayor to appoint Russell MacIntosh as a DPW employee for summer help only at a pay rate of \$10.00 per hour effective July 18, 2006.
- 6) **Resolution #69-2006;** Emergency Appropriation Purchase – Police Department dispatch radio equipment.
- 7) **Resolution #67-2006;** Riverdale One, LLC Tax Appeal as follows:

2005	Assessment: \$5,521,800.00	Settlement \$4,600,000.00
2006	Assessment: \$5,521,800.00	Settlement \$4,600,000.00
- 8) **Resolution #68-2006;** Richard's Funeral Home Tax Appeal as follows:

2005	Assessment \$1,198,300.00	Settlement \$1,010,000.00
2006	Assessment \$1,198,300.00	Settlement \$1,010,000.00
- 9) Mayor to appoint Sharyn VanWhy as a consultant to the Building Department to be paid by voucher at a rate of \$18.00 per hour.

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

RESOLUTIONS (continued):

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 95-A, B, C AND D.

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

- 10) Award contract to Royal Communications for purchase of police radio per Morris County Co-Op contract #41 at a cost of \$47,930 and approve purchase of backup radio at a cost not to exceed \$16,493 (upon obtaining three price quotations).

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:35 p.m.

Respectfully Submitted:

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

CLOSED SESSION:**NEW YORK SUSQUEHANNA RAILROAD COMPLAINTS:**

Mayor Budenheim reported that it was thought that the railroad cars along the track had hazardous waste in them, but an aerial photo revealed they are empty. The health officer went over there because of stagnant water in the railroad cars. Borough Attorney Bob Oostdyk reported that the only jurisdiction the Planning Board has over the railroad is health and safety items but there is no jurisdiction for storing of cars along the track; this is federally regulated. As far as the storage in the cars there are some limitations. If they decide to use an area around the railroad for a transfer station, they would be required to go before the Planning Board.

DUBE PROPERTY:

Mr. Dube received a second appraisal at \$225,000. The Borough's appraisal was \$150,000. After discussion the governing body decided to have Mr. Oostdyk offer Mr. Dube \$180,000 but are willing to go to \$200,000.

ORDINANCE 20-2006

AN ORDINANCE AMENDING CHAPTER 113 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND DELEGATING THE AUTHORITY TO APPROVE THE GRANTING OF RAFFLE AND BINGO LICENSES TO THE BOROUGH CLERK

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 98-A

Borough Attorney Oostdyk clarified the revisions to Ordinance 21-2006. Borough Clerk Talerico asked for clarification regarding where the application is to be made and fees paid. It was decided that the ordinance be amended to read that the application should be made to the Borough Engineer through the office of the Borough Clerk.

- 2) Councilman Falkoski set forth the motion, seconded by Councilman Guis, to introduce the following ordinance as amended and moved its adoption, requesting it be advertised in the Star-Ledger.

ORDINANCE 21-2006

AN ORDINANCE AMENDING CHAPTER 47 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND ADOPTING REQUIREMENTS FOR STREET OPENING PERMITS

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 98-B

RESOLUTIONS:

Councilman Falkoski asked for clarification of a remark regarding accounting practices in resolution No. 9. Chief Financial Officer Sesholtz stated that it is a requirement of the state of New Jersey. Councilman Falkoski also asked for clarification of resolution No. 10. Councilman Guis stated that one DPW employee was let go and one had quit. Councilman Carelli added two reimbursements to the bills list.

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

- 1) Payment of Claims.
 Additional not on bills list:
 - a) Radio City Music Hall - Christmas Tickets - \$1,735.00
 - b) Cindy Moratto - Reimbursement Deposit \$ 490.00
 - c) Ted Guis - Reimbursement Bldgs. & Grounds \$ 101.64
 - d) Elaine Wetzel - Reimbursement Concert Series \$ 239.38
- 2) Approval of escrow payments for various engineering fees as follows:
 - a) Paul Darmofalski, P.E. - K&K Developers \$ 4,950.00
 - b) Paul Darmofalski, P.E. - Majestic Homes \$ 250.00
 - c) Paul Darmofalski, P.E. - D.R. Horton \$ 7,100.00
 - d) Paul Darmofalski, P.E. - Target Corp. \$ 2,952.00
- 3) **Resolution No. 70-2006;** Refund of Taxes – Block 35 – Lot 1 - \$2,897.38.

RESOLUTIONS (continued):

- 4) **Resolution No. 71-2006;** Refund of Taxes – 90 Route 23 Associates – Block 40 – Lot 4.06 – County Tax Judgment – 2005 - \$2,274.30; 2006 - \$2,346.50.
- 5) **Resolution No. 72-2006;** Refund of Taxes – Riverdale South – Block 36.02 – Lot 1.02 – County Tax Judgment – 2005 and 2006 \$8,986.40.
- 6) **Resolution No. 73-2006;** “Renewal” of Morris County Cooperative Pricing Agreement with Lead Agency.
- 7) **Resolution No. 74-2006;** Historic Preservation Trust Fund Grant Agreement – Glenburn House - \$35,232.00 Grant and a municipal match of \$8,808.00.
- 8) Approval of \$8,500 expenditure for pavement crack sealing on Newark Pompton Turnpike and Freedom Park parking lot. (3 quotations to be obtained – unless county co-op is used).
- 9) **Resolution No. 75-2006;** 2005 Annual Audit Review.
- 10) Authorization to place a classified ad for the replacement of two DPW employees: one custodial person and one mechanic.
- 11) **Resolution No. 76-2006;** Approval of the Riverdale Open Space Plan.
- 12) Mayor to appoint with council recommendation, Marie Pra as a clerical worker to assist Tax Assessor Joe DeStefano, at an hourly rate of \$15.00 per hour.
- 13) Authorization to approve the AHR TechPro Products/Services proposal as presented to the Mayor and Council at the Workshop Meeting of 08/07/2006 in the amount of \$39,966.82 products applicable will be charged to the Capital Equipment Budget.
- 14) Authorization to approve the proposal from Edmunds & Associates, Inc programs to upgrade the Finance/Tax/Utility and licensing programs utilized by the Borough of Riverdale from the MCS32 system to JAVA a windows based program in the amount of \$8,000.00.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 99- C, D, E, F, G, H, I AND J**MAYOR REPORT:**

Mayor Budesheim commended Councilwoman Wetzel for the remarkable job on this summer’s concert series.

BOROUGH CLERK REPORT:

No report.

BOROUGH ATTORNEY REPORT:

No report.

COMMITTEE REPORTS:

Councilman Falkoski reported on the security requirements received from the Administrative Office of the Courts. He also reported the Fire Department is re-evaluating the point schedule for the LOSAP program and asked the Borough Attorney for the procedure should they decide to make a revision. Borough Attorney Oostdyk stated the changes would have to be sent to the Mayor and Council for approval through the office of the Borough Clerk. Councilman Falkoski reported that the Fire Department would be sending people to the Morris County September 11th memorial service. He also

COMMITTEE REPORTS (continued):

asked whether anyone had checked into the removal of the copper fire alarm wires at the firehouse. Councilman Guis stated he would follow up.

Councilman Guis reported that the DPW needs to replace two employees.

Councilwoman Wetzel thanked everyone for their support with the summer concert series. She reported the next event is the street fair on Saturday, October 7th. She asked when the Senior Community Center would be complete. Mayor Budesheim replied that it should be ready by the New Year. She reported that she has been in contact with Montville and Oakland regarding their policies for rental to the public. Oakland does not rent to the public and will forward a copy of their guidelines. She is waiting to hear from Montville. She also reported she has been in contact with the Fire Department regarding their anniversary event for 2007. She asked for the status regarding the Board of Health. Mayor Budesheim stated a contract was sent to another town and he will keep her advised.

Councilman Astarita reported that he contacted Wayne Johnson to evaluate the library roof and a handyman to evaluate the issues at the firehouse. He will obtain prices for both.

Councilwoman Bush reported that she received one response from the newspaper article for the Municipal Alliance Committee. She will attend meetings of some local organizations to see if there is more interest and Mayor Budesheim will put it in the newsletter.

There was discussion regarding an employee/volunteer picnic on October 14th.

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:05 p.m.

Respectfully Submitted:

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

BOROUGH ATTORNEY REPORT:

No report.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalksi reported on the progress at the Senior Community Center. The anticipated completion date will be late Fall. Mayor Budesheim suggested having a community day where residents could be involved with the completion of the basement. Mr. Darmofalksi recommended approving the proposal by Robert Michaels who is a highly qualified COAH expert and is highly recommended by our master planner. He reported that the Mathews Avenue survey was received. He will work on the design for the intersection improvement, meet with the county and also meet with Mr. Ball. He reported that D.R. Horton has requested a bond reduction and he will make a recommendation at the next meeting.

COMMITTEE REPORTS:

Councilman Falkoski reported that a meeting is scheduled for 10:00 a.m. on December 19th to discuss the state required security improvements for the court.

Councilman Guis reported that the DPW has hired a custodian and mechanic. Councilwoman Wetzel asked about the status of our current mechanic. Councilman Guis stated the current mechanic would like to retire and the new employee would also work in a variety of other situations. It was decided his position would be Senior Utility Person. Councilman Guis reported that he evaluated the copper wires that the Fire Chief wants removed. He stated the wire is throughout the town sometimes amongst high-tension wires and he is not comfortable having our employees remove it. He also reported that the DPW installed the septic at the Senior Community Center resulting in considerable savings. There are quite a few people to be acknowledged for donating time, money and effort into this project.

Councilwoman Wetzel provided handouts and reviewed costs regarding suggested activities for Fright Night. The total budget is less than \$5,195. There was discussion regarding the costs and the balance available for Celebration of Public Events. Councilwoman Wetzel also stated that we would eventually need to hire a recreation director. Councilman Carelli stated that money was not budgeted for that this year. There was discussion regarding various recreation activities and senior services that could be provided once the Senior Community Center is complete.

Councilman Astarita reported that he has not yet heard from Wayne Johnson regarding the library roof.

RESOLUTIONS:

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

- 1) **Resolution #77-2006;** Emergency Appropriation appropriating \$35,000.00 to the Assessment of Taxes Budget to cover Tax Appeals.
- 2) Authorization to utilize the \$1,151,674.00 Target Cash Bond as a restoration bonding of the site disturbance proposed for the Target site in order to issue a partial grading permit by the Borough Engineer for the site work to commence.
- 3) Approval of a Change Work Order as submitted by the Borough Engineer for the Senior Community Center Project.

RESOLUTIONS (continued):

- 4) Approval of proposal submitted by Robert Michaels, Planner to work on COAH, Riverdale Affordable Housing.
- 5) Mayor to appoint with consent of Council Barbara Aungst as a Full Time Custodian/DPW employee at a rate of \$12.00 per hour effective September 5, 2006.
- 6) Mayor to appoint with consent of Council Alan A. Kelly as a Senior Utility Person in the DPW Department at a yearly salary of \$42,000.00.
- 7) Approval of Riverdale Code Book update for 2005/2006 Ordinances for a maximum amount of \$4,595 plus 2% shipping and handling.
- 8) Approval of payment in the amount of \$1,500 to the Riverdale Fire Department for convention expenses.
- 9) Approval of expenditures not to exceed \$4,000 from Celebration of Public Events Budget, in addition to any donations received and deposited in trust account for Fright Night.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 103-A**PUBLIC PARTICIPATION NO. 2:**

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:00 p.m.

Respectfully Submitted:

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

PUBLIC PARTICIPATION NO. 1 (continued):

specific basis for the complaint. Mr. Mefford stated a trench that was dug in an area of undisturbed open space at 22 Overlook Drive on September 3rd. He read several excerpts regarding open space from a Planning Board resolution dated July 26, 2001. Mayor Budesheim stated that only the Board of Adjustment can interpret the Land Use Ordinance and it is beyond the jurisdiction of the Governing Body. Mr. Mefford then stated the borough ordinances state a permit is required for all soil movement and there is no permit at that address as of today. He stated that in addition a soil movement permit for greater than 100 cubic yards, which in this case there is, is also part of an application that must be filed with the Borough Clerk. He stated that there are many requirements in our ordinance that have not been met for that property. He stated the following have not been done: (1) A copy of the Borough Engineer's review and inspection of the site must be presented to the Borough Council within 15 days of inspection. (2) A Borough Council meeting must be had and hearing date set for this application and site review. He stated these are public records that have been requested and are not available at this time. (3) A notice must be sent via certified mail to all property owners within 200 feet in all directions of the property where the soil will be removed. (4) A soil mining permit must be approved. (5) A copy of the applicant's deposit of \$1,000 to cover professional reviews and deposit of a Borough Clerk fee plus 10 cents per cubic yard for all soil removed. He stated that for these reasons he thinks the Borough Engineer is in a breach of agreement and somebody on this board needs to step in now. Mayor Budesheim stated he couldn't comment on any of these items because of the litigation Mr. Mefford has filed. Mr. Mefford stated that he requested copies of these documents from Borough Clerk Talerico and has a letter from her stating none of them are on file. Borough Attorney Oostdyk stated that everything Mr. Mefford read is what would happen if a soil mining permit had been filed but it had not so the documents do not exist. Mr. Mefford stated that if there are no documents then the Engineer is in breach of our ordinances and someone needs to step in and enforce that. Borough Attorney Oostdyk stated that what Mr. Mefford is saying is that the owner of the property has responsibility to apply for a permit under our ordinance has not done so. Mr. Mefford stated that is correct and the Engineer who was notified of this as of September 3rd has not stepped in to stop the construction and it is his job as the overseer to stop it. Mr. Oostdyk stated he understands the complaint. Mr. Mefford stated he thinks the construction should stop and a work order submitted until this can be reviewed further.

Barbara Fill, 8 Hemlock Court, Butler asked for a definition of "undisturbed open space". Mayor Budesheim stated that as referenced on the surveys for the Beazer Homes development only the Board of Adjustment has the authority to interpret the meaning. He said she could submit an application requesting an interpretation of the ordinance through the Planning Board Administrator. Ms. Fill said she has a concern with the property at 14 Overlook Drive located behind her property. If controls are not overseen regarding undisturbed open space she is concerned people can rip apart natural boundaries between the two townships. She asked how many trees could be removed. Patty Mefford, 122 High Street, Butler stated that she checked the ordinances on the website and found there is a permit for tree removal as well as soil mining and digging. Ms. Fill asked where she could find out which ordinances can be enforced by a citizen. Borough Attorney Oostdyk stated that unless stated otherwise in the codebook an ordinance can be enforced by citizen complaint and he believes all the issues she is concerned with are in that category. He explained that a citizen could file an action in the Municipal Court claiming someone has violated an ordinance and the Superior Court if they want injunctive relief. Ms. Fill stated another Riverdale resident on the same block has posted "do not trespass" signs on public property in Butler. Borough Attorney Oostdyk advised her to ask Butler to remove the signs from their property.

Mr. Mefford stated that he currently has a pending appeal with the Board of Adjustment for the area that's been disturbed. Mayor Budesheim stated that Mr. Mefford appealed

PUBLIC PARTICIPATION NO. 1 (continued):

the Zoning Officer's permit for the fence. Mr. Mefford asked how construction and digging could occur while there's an appeal in process. Mrs. Mefford stated they now have to withdraw their appeal since the trench is already dug and you almost have to put up the fence. The Meffords stated that they came down to talk with Borough Engineer Paul Darmofalski because the owners of 22 Overlook Drive removed the undisturbed area. The Meffords said they filed the package properly with Linda Roetman, completed the forms and were waiting for the meeting on the first Thursday. They said the digging began on the first Tuesday without a permit. Mrs. Mefford stated the owners of 22 Overlook Drive told her they were unhappy with the size of their backyard. She said they removed the undisturbed land and the soil is being dumped on another property under construction on Overlook. She stated that Borough Engineer Darmofalski told them that he looked into the matter and they are doing light grading that he approved because of a drainage issue. They filed a police report and contacted Mr. Darmofalski every day to report what was happening. Mr. Mefford stated that 14 truckloads of soil had been removed and that is not light grading. The Meffords continued to describe how the homeowner has carved out the buffer zone area and they are concerned that other homeowners could do the same because Riverdale has not enforced it. Mr. Mefford stated that someone has to stop this now.

A resident of 6 Hemlock Court in Butler stated that he is concerned that if they're allowed to do this no one will stop the chain.

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

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

ORDINANCES:

1) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 20-2006

**AN ORDINANCE AMENDING CHAPTER 113 OF THE REVISED GENERAL
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND DELEGATING THE
 AUTHORITY TO APPROVE THE GRANTING OF RAFFLE AND BINGO
 LICENSES TO THE BOROUGH CLERK**

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

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

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

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

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Carelli, **RESOLVED** that Ordinance No. 20-2006 as read on second reading at this meeting, be adopted and finally passed.

RESOLUTIONS (continued):

- | | | |
|--|-------------|---------------------|
| d) Block 40-Lot 4.05 – Riverdale Square | \$ 7,877.12 | County Board Appeal |
| e) Block 36.02-Lot 41 – John Feger | \$ 1,032.57 | Combined Lot |
| f) Block 11-Lot 1.14 – S. Chandrasekaran | \$ 2,538.09 | Duplicate Payment |
- 4) Approval of Escrow Payment to following:
- | | | |
|---------------------------|--------------------|-------------|
| a) Paul Darmofalski, P.E. | Target Corporation | \$ 6,240.00 |
| b) Paul Darmofalski, P.E. | D. R. Horton | \$12,430.00 |
| c) Paul Darmofalski, P.E. | K&K Developers | \$ 9,300.00 |
| d) William Ryden, P.E. | K&K Developers | \$ 4,459.80 |
| e) William Ryden, P.E. | Target Corporation | \$ 273.30 |
| f) William Ryden, P.E. | D.R. Horton | \$ 3,383.18 |
- 5) Approval of pay rate increase for Russell MacIntosh to \$11.00 per hour – Temporary Help – No Benefits.
- 6) **Resolution No. 80-2006;** Approval of renewal of liquor license #1433-33-005-008, Brinker New Jersey, Inc. (t/a Chili's) for the year 2006/2007. A Special Ruling N.J.S.A. 33:1-12.39 has been received from the ABC enabling the Governing Body to approve.
- 7) Authorizing Alan's Handyman Express to do repair work at the fire department at a cost of \$775.00.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 108- B, C, D AND E**CORRESPONDENCE:**

- 1) From Tri County Chamber of Commerce stating that on Thursday November 9th, Chili's Restaurant will open its doors for the first time in Riverdale. They have joined the chamber and we have agreed to organize an official ribbon cutting ceremony on that day. It will be a short ceremony at 3:30 p.m. They would very much like to extend an invitation to the Mayor to assist with the ribbon cutting. Additionally, they would like to invite the Borough Council members, Clerk and the members of the planning board.

Borough Clerk Talerico will RSVP for those attending.

- 2) From Janine Russo, Family & Friends For Freedom Fund, Inc. stating that she has recently had many calls seeking their services. In order to provide these services we need to raise money. The benefit is called the "Band Aid". Several of North Jersey's top bands have agreed to donate their time on Sunday October 15th. The Aid will be held at Dexter's from 3:00 p.m. to 10:00 p.m. that is with the town's permission of course.

Councilwoman Wetzel stated that when Dexter's opened the ordinance specified that music would not start before 9:30 p.m. They are asking the Council for approval to hold this fundraiser. Mayor Budesheim stated that we do not have an ordinance and asked the Borough Attorney if the governing body has jurisdiction. Councilman Falkoski stated the minutes of the Planning Board specified that music would not start until 9:00 or 9:30 p.m. and this is an agreement they had with Rupperts. Borough Attorney Oostdyk stated that he would need to review the Planning Board Minutes. Councilman Falkoski read the following statement:

CORRESPONDENCE (continued):

My neighbors and I living in the Hartung Avenue and Cotliss Road section of the Borough are separated from the main portion of the town by Route 23. Because of that, at times decisions that have been made regarding development, etc. have not considered the unique impact of those decisions on that section of the community. The facts I am about to state are not manufactured, embellished, or misstated in any way. If anyone doubts this, I invite you to visit the area any Friday or Saturday night between the hours of midnight and 3:30 a.m. Specifically I refer to Dexter's in the Riverdale Square shopping center. The music emanating from the establishment can clearly be heard in nearby residences, even through closed doors and windows, and the vibrations from the base component of the music can actually be felt. If a person were to open a door or step outside the music would seem to be on one's own driveway or front lawn. Saturday evening, watching television in my living room about 10:00 p.m. with doors and windows closed, I could still clearly hear the music coming from the establishment. About 2:45 a.m., and I am a sound sleeper, I was awakened by the blowing of horns and loud talking and shouting from the parking lot. I was forced to contact the police. The previous weekend, on Saturday morning, I was awakened about 1:30 a.m. with shouting, screeching tires, horn blowing and gunning of motorcycles and autos with loud mufflers. I notified the police, as did other residents of the area. I was informed that a fight had taken place in the parking lot but by the time the police arrived the participants had taken off. From my recollection, when the subject was before the Planning Board, assurances were given that nothing would be heard outside the establishment. In fact, it is stated in the minutes that the room would be soundproof and all precautions would be taken to ensure the peace and quiet of the surrounding area. We have a request before us this evening to permit a concert on a Sunday between 3:00 and 10:00 p.m. This is something the owner of the establishment has stated before the Planning Board that he would like to do on a regular basis, further expanding the time allotted whereby the peace and quiet of the neighborhood may be disturbed. I would suggest that we not entertain approving this request, or any expanded use at this location, until we are convinced the aforementioned problems have been rectified and controlled. I would ask that our noise control and peace and good order ordinances, Chapters 119 and 126, be enforced and if not applicable, introduce modifications to them. If I were to start my tractor and proceed to mow my lawn at 1:00 or 2:00 in the morning, do you think I would get away with it? What is the difference between that and the noise and disturbances related to this establishment? I would further ask that the proper authority, whoever that may be, attempt to compel the subject to comply with the assurances he had given to the Planning Board when seeking approval from that authority; i.e., a soundproof room where the music would take place and precautions to ensure peace and quiet of the surrounding area. I also have copies of all kinds of police reports over many weekends coming in because of that - 1:30 a.m., 12:22 a.m., 2:45 a.m., 1:31 a.m., 1:41 a.m. and 11:30 p.m. This is going on every weekend and I don't think it's something that has to be ignored and just let slip by. These people are entitled to peace and quiet in that area, myself and my neighbors as well. It's lowering the property values of our properties. When we go to sell our homes, with the disclosure laws today, we'd have to disclose that there's a nightclub across the street.

Mayor Budesheim stated that after the first noise complaint was received he warned the owner and instructed the Police Chief to issue a summons for any further legitimate complaints. The Mayor agreed with Councilman Falkoski and he will remind the Police Chief. Councilman Falkoski stated we should not approve any expansion of this at this point. Borough Attorney Oostdyk stated that the governing body cannot grant relief from a Planning Board condition. Councilman Falkoski said if they get approval from the Planning Board they would be able to do it any time and not just a single incident. He read the following from the minutes of the May 26th Planning Board meeting:

CORRESPONDENCE (continued):

“The shows at this location would not begin before 9:30 p.m. and Mr. Paige would like to make that a condition of this application.”

Borough Attorney Oostdyk advised the best course of action for the governing body is to say we have concerns jurisdictionally. If it was a legitimate Planning Board condition we cannot grant relief from that. Mayor Budesheim stated that it is a nuisance and a summons should be issued each time it occurs. Councilman Falkoski stated that a small fine might not be effective and he is still concerned about the parking lot noise. Mayor Budesheim stated that Mr. Paige had said he would be willing to pay for a police officer to patrol the parking lot if necessary. There was discussion regarding the noise and public nuisance ordinance. It was decided to continue the discussion at the workshop meeting.

Henry Vitz stated the reason the Planning Board insisted on music starting at a later hour was the lack of parking spaces in that shopping center and this should also be considered. He also stated that he can hear the noise at his house, which is 1,050 feet away, and the soundproofing is not adequate. He provided pictures to show that the parking spaces in the rear of the building are too close to the emergency exit doors. He also stated there are seven illegal signs that are blocking the view of drivers. Mayor Budesheim will alert the Fire Marshall and Zoning Officer of these conditions. Mr. Vitz stated another problem is the street sweeper arrived at 5:00 a.m. to clean the parking lot.

Paul Papadopoulos, 7 Hartung Avenue, stated that he made two of the noise complaints and he hopes that something can be done about this problem.

BOROUGH CLERK REPORT:

Borough Clerk Talerico asked the Borough Attorney for the requirements regarding the public hearing and advertisement for the Stormwater Management Plan. Borough Attorney Oostdyk explained that there would be a second ordinance imposing stormwater regulations on commercial properties and he will forward it when it is ready for adoption by the Mayor and Council. There was discussion regarding the public hearing requirement.

COMMITTEE REPORTS:

Councilman Falkoski reported the Municipal Court Report and the Police Report for the month of August. He recommended that the Police Chief be authorized to hire part-time dispatcher John Urchak to replace Jim Nolan. He also reported the Fire Chief's report for July and August. He reported that a meeting is scheduled tomorrow regarding the security for the Municipal Court.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Bush, to appoint John Urchak as Part-Time Dispatcher to replace Jim Nolan at a salary of \$10.00 per hour.

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

Councilman Guis reported that the new DPW mechanic and custodian have started work. He also reported on the progress of construction at the Senior Community Center. Mayor Budesheim stated that he contacted the school regarding an offer to replace the tennis courts and they turned it down.

COMMITTEE REPORTS (continued):

Councilwoman Wetzel reported that the representative of the Butler youth baseball league requested the use of our fields for five games. He has a certificate of insurance and she explained to him that there might be a fee involved in the future. There is no conflict with the Pompton Lakes/Riverdale Little League. Council agreed to allow them use of the fields for the dates specified.

Councilman Astarita reported that he is still waiting to hear from Wayne Johnson regarding the leak in the library roof.

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:30 p.m.

Respectfully Submitted:

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

ORDINANCES (continued):

Thereupon, Councilman Falkosi set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 24-2006 as read on second reading at this meeting, be adopted and finally passed.

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

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

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

ORDINANCE 23-2006

**ORDINANCE AMENDING CHAPTER 168 OF THE REVISED GENERAL
 ORDINANCES OF THE BOROUGH OF RIVERDALE PERTAINING TO
 PENALTIES AND ENFORCEMENT OF THE ZONING ORDINANCE OF THE
 BOROUGH OF RIVERDALE**

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

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

RESOLUTIONS:

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

- 1) Payment of Claims.
 Additional not on bills list:
 - a) Amazing Amusements-Fright Night Final Payment - \$ 262.50
 - b) Mountain Creek-Ski Program-when funds are avail. –Up to \$10,850.00
 - c) Broadway.com – Theater Trip – Hairspray-when avail - \$ 3,700.00
 - d) Reimbursement to Sam Dedio – Employee Picnic \$ 126.39
 - e) Reimbursement to Theodore Guis – Employee Picnic \$ 265.31
 - f) Dept. of Military and Veterans Affairs – Street Fair Parking\$ 25.00
- 2) Approval of Escrow Payment to following:
 - a) Paul Darmofalski, P.E. Target Corporation \$ 3,000.00
 - b) Paul Darmofalski, P.E. D. R. Horton \$ 3,488.00
 - c) Paul Darmofalski, P.E. K&K Developers \$14,105.00
 - d) Paul Darmofalski, P.E. Majestic Homes/Beazer \$ 1,800.00
 - e) Paul Darmofalski, P.E. Aburomi-soil movement \$ 168.00
 - d) William Ryden, P.E. K&K Developers \$10,011.70
 - e) William Ryden, P.E. Target Corporation \$ 663.50
 - f) William Ryden, P.E. D.R. Horton \$ 1,209.48
- 3) **Resolution No. 81-2006;** Approval of waiver of public hearing for soil movement permit for Guinta – 22 Overlook Drive per Chapter 140 of the Code of the Borough of Riverdale section 140-4 – movement of less than 100 cubic yards.
- 4) **Resolution No. 82-2006;** Authorizing the Acceptance of Credit Card Payments for Municipal Fees and Charges in Accordance with the Provisions of N.J.A.C. 5:30-9.1 Et. Seq.

RESOLUTIONS (continued):

- 5) Authorization of Municipal Clerk to endorse an Industrial Wastewater Discharge Permit application for Wal-Mart Stores East, LP as recommended by William Ryden, P.E. Sewer Engineer.
- 6) Authorization of Municipal Clerk to issue a Holiday Tree Sale permit to James Castiglione & RBA for tree sales at the site of A to Z Trucking on Hamburg Turnpike and Mathews Avenue. (application and fees received)
- 7) **Resolution No. 83-2006;** Establishing an agreement with the PRBRSA that the Borough of Riverdale does hereby agree that upon their approval of Riverdale's TWA permit for the Paterson Hamburg Turnpike Sewer Project, that no connections will be made to the sewer extension until the Borough has adequate capacity allocation for the project.
- 8) Authorization to approve payroll deductions for an employee benefit of an offering of personal car and homeowners insurance through the Franco Insurance and Financial Services, by Travelers. This is an unfunded benefit solely paid for by the employee.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 119-C, D, E AND F**UNFINISHED BUSINESS:**

- 1) Introduction of Ordinance No. 22-2006; Removal and Replacement of Trees. (Shade Tree Committee).

Councilman Carelli stated the Shade Tree Committee would meet next Monday.

- 2) Ordinance Amending Chapter 75 – “Amusements & Entertainment”

Borough Attorney Oostdyk stated he is working on this ordinance and it will be ready for the next meeting.

MAYOR REPORT:

Mayor Budesheim reminded everyone that the Eagle Court of Honor is Wednesday, October 25th and the Open Space and Redevelopment Committees for the Master Plan will meet on October 24th. The planners will be at the Municipal Building during the day with their exhibits. He also reported that the Armory is honoring Sgt. Dollaway at 11:30 on Thursday, October 25th. The grand opening of Chili's is November 9th at 3:30. Mayor Budesheim recommended the temporary appointment of Linda Roetman to the Dial-A-Ride board while Mrs. Gregory is ill.

COMMITTEE REPORTS:

Councilman Falkoski reported the Municipal Court Report and the Police Activity Report for the month of September. He also reported the Zoning Officer report for August and September.

Mayor Budesheim reported that Eric Hollenstein will be returning from Iraq and there will be a reception for him on October 28th at the VFW in Pompton Lakes from 6:00 to 10:00.

COMMITTEE REPORTS (continued):

Councilman Guis reported that progress is going well at the Senior Community Center. He also reported that the vehicle maintenance budget is depleted.

Councilman Falkoski reported that several homes on his street were without electricity and water on Friday from 5:30 a.m. until 8:30 p.m. due to an automobile accident on Route 23. He expressed gratitude for the water container and buckets that Riverdale was able to provide for these families.

Councilwoman Wetzel reported that the street fair was very successful. We had more than twice the number of vendors and the entertainment was excellent. She stated that Mike's Feed Farm donated \$250 and we are still going to receive a profit from the promoter. She would like to use this money to purchase a banner that can be used each year to publicize the event. She did not know whether the event was profitable for the vendors. She stated that Home Depot and the quarry did their usual good job and thanked the police and fire departments, first aid squad and OEM for their participation.

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Guis, to approve the purchase of a banner for the street fair at a cost not to exceed \$1,000.

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

Councilwoman Wetzel reported that Fright Night is Sunday, October 29th, from 6 p.m. to 9 p.m. and invited the Mayor and Council to participate. She also reported the Board of Health is having a special meeting on Wednesday, October 18th to discuss a contract for the new Health Officer. She reported that she and the borough nurse will be giving flu shots to children and seniors on Thursday, October 19th and a waiting list is now being started. She asked what was happening with the old Texaco site. Mayor Budesheim stated they have plans for a three-story office building. The Mayor also reminded everyone we are having a luncheon for Pat Pignatelli at noon on Wednesday, October 25th.

Councilman Astarita reported that repair work on the firehouse has started and he has a proposal for \$925 to repair certain items, paint and spackle at the library.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to authorize Alan's Handyman Express to make repairs to the library building at a cost of \$925.

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

Councilwoman Bush reported the first Municipal Alliance Committee meeting will take place at 7:00 p.m. on Monday, October 23rd. Beth Jacobsen of the Morris County Municipal Alliance will attend and bring introductory packets and advise how to proceed with the needs assessment. She has received R.S.V.P.'s from several community organizations and the meeting is open to the public. We would like to have a committee of about 8 representatives and 50 percent need to be Riverdale residents.

Mayor Budesheim reported that Pompton Lakes Mayor Murrin has advised that Riverdale will be invited to a meeting with community leaders on November 1st to discuss the issue of underage drinking in private residences and the problems that result.

PUBLIC PARTICIPATION NO. 2:

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

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

CLOSED SESSION:

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

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

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

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

Councilman Guis set forth the motion, seconded by Councilman Falkoski, to authorize Mayor Budesheim to execute the Riverdale/Lincoln Park Sewer Capacity Agreement.

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

Councilman Guis set forth the motion, seconded by Councilman Falkoski, to authorize Mayor Budesheim to execute a sewer gallonage contract with TCR.

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:30 p.m.

Respectfully Submitted:

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

CLOSED SESSION:**POSSIBLE LITIGATION:**

Mayor Budesheim stated that we've had an ongoing problem with infiltration into our sewer pipes. Last year we were back charged \$161,000 and this year another \$161,000 was added onto our bill. The sewer authority put a moratorium on approving any applications for sewer connections and wouldn't talk to TCR about their TWA. Target only needs 3,300 gallons and was ready to cancel their \$45 million project because this matter was not resolved. The Mayor stated that on Thursday Dan Kelly told him there is something called discretionary gallonage whereby a town could release 3,500 gallons to the authority who would sell it to Target until we have the capacity. On Friday the Mayor received a faxed copy of a letter Dan Kelly sent to Bill Ryden stating there could be a meter problem. Mayor Budesheim stated that we bought two meters and the authority put in two meters to work with us to try to isolate the infiltration problem. The authority put in their new monitoring meters on August 18th. We've been averaging 244,000 gallons a day of flow and with the new meters it went down to 113,000. Mayor Budesheim stated that Mr. Kelly admits that it may be a meter problem after we spent \$320,000 plus professional fees. Councilwoman Wetzel asked if the money would be refunded. Mayor Budesheim stated all the money will be refunded and it is worth litigation. Councilman Carelli asked if the new meters they installed were permanent. Councilman Guis explained that they double-checked their meters with temporary meters and they don't correlate with what his permanent meters are showing. He said that Mr. Kelly was metering the trunk line from Bloomingdale to Route 287 and our meters were at the bottom of Mathews Avenue and the bottom of the quarry. In theory what comes into Bloomingdale plus our two meters should equal his Route 287 meter. He said that based on these facts we know he's getting inconsistent readings. We don't have all the meters running consistently yet.

CONTRACT NEGOTIATIONS WITH LINCOLN PARK:

Mayor Budesheim stated that Mr. Clemak prepared about five different agreements today. Lincoln Park wants the money by November 1st so they can get it in their account and anticipate it for 2007. Mayor Budesheim told them that it could be anticipated if it was in by December 31st. Lincoln Park came back and said they want it November 1st or they'll charge 5.17% interest which comes to \$885 a day. Mayor Budesheim stated that Chief Financial Officer Sesholtz believes it will be available November 1st. He also stated that every town in both authorities has to pass an ordinance implementing this and if it's not done by February 1, 2007 the deal is off and the money will be refunded with interest. The money will go into an escrow account until February 1, 2007 and at that time we will pay the maintenance charges for that allocation retroactive to November 1st. Mayor Budesheim stated that he wanted to bring these terms before the Council before executing the contract. He also stated that within 2 business days of executing the contract TCR would give us a \$250,000 non-refundable deposit. It will go towards the purchase but if for any reason it does not go through we will have that money to cover the first year's interest payment on the \$6.25 million. We will reserve the 100,000 gallons for TCR until January 31, 2009. TCR will pay \$40 per gallon for the 45,000 gallons for the first phase and Mayor Budesheim told them they would also have to pay \$1.60 non-user maintenance fee on the full 100,000 gallons. They will pay \$40 per gallon for the 45,000 gallons for the second phase and they can purchase another 10,000 gallons if they do the affordable housing obligation. Councilman Carelli asked why they don't buy all of it. Mayor Budesheim stated that everything is based on financing. Councilman Carelli stated that TCR was going to buy 100,000 gallons and now he wants to buy it over the next three years. He said he likes the deal and we have to do it but it bothers him that we can't make him buy more of it up front. Councilman Guis stated that it is still a commodity if they don't buy it. There was discussion regarding the possible interest rate on the bond and financing.

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

Mayor William Budesheim presiding.

ROLL CALL: Present: Bush, Wetzel, Guis, Astarita, Carelli, 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:

Steve Loesner invited the Mayor and Council to the Eagle Court of Honor on Wednesday, October 25th.

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

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

OTHER BUSINESS:

- 1) Ordinance amending “Amusements and Entertainment”. (for discussion)

Borough Attorney Oostdyk stated the purpose of the ordinance would be to get some means of control over what occurs on the premises. Councilman Falkoski stated most of the problem at the Riverdale Square shopping center is the noise outside the building: horns blowing, screaming and hollering. Mayor Budesheim stated the property owner might have some responsibility. Councilman Guis stated the two sources of disturbance are the music coming out of the club and the tailgaters in the parking lot outside the club. There was additional discussion regarding causes of the disturbances. Borough Attorney Oostdyk stated that licensing would give us a means to gain control. It was decided it should be the joint responsibility of the landlord and the applicant to maintain the provisions of the license. Councilman Falkoski stated that our noise ordinance should be amended. He had a sample of an ordinance from another municipality that addressed many of our concerns. After discussion it was decided to amend the noise ordinance. Councilman Falkoski also requested we revise the ordinance pertaining to barking dogs.

ORDINANCES:

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

ORDINANCE 24-2006

ORDINANCE AMENDING CHAPTER 119 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE PERTAINING TO NOISE

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 112-A

Councilman Falkoski stated that he saw an advertisement in the Sunday Trends for the event to be held at Dexter's on October 15th. Mayor Budesheim stated that we couldn't stop them. He said the minutes of the Planning Board meeting reflect the owner stated that for charitable purposes there would be occasions on weekends where functions would be held beginning at 3:00 p.m. Councilwoman Wetzel stated the person who contacted her about that event understood that the Council had denied permission and was going to make other arrangements. Borough Attorney Oostdyk stated we would also clarify the ordinance prohibiting drinking in public places to include parking lots.

UNFINISHED BUSINESS:

- 1) **Introduction of Ordinance No. 22-2006;** Ordinance Amending the Revised General Ordinances of the Borough of Riverdale and Regulating the Removal and Replacement of Trees. (Shade Tree).
- 2) Stormwater Management Plan Ordinance.

Borough Engineer Darmofalksi stated the Planning Board adopted the Stormwater Plan and the Governing Body must adopt the ordinance as part of the Master Plan. He anticipates having an ordinance to begin the process at the next meeting.

- 3) Curb cut approvals:
 - a. William Revis – 27 Arlington and Kevin Ball 25 Arlington.

Borough Clerk Talerico stated that Mr. Revis has called several times asking the status of his request. Borough Engineer Darmofalksi stated they are still working on the new road opening ordinance. He recommended granting a permit based on the new conditions for 25 and 27 Arlington Place.

- b. Fabrizio & Symone Negrini – 23 Van Duyne Avenue.

It was determined that this request had already been approved.

MAYOR REPORT:

Mayor Budesheim reported that the welcome packet for new residents is almost done.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that Wal-Mart has requested she sign a wastewater discharge application. She said that Sewer Engineer Bill Ryden has advised that it is in order and recommends the Borough endorse it. She also reported she will check with the Finance Officer regarding the refunds for streetlights.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalksi reported they are working on the design for Mathews Avenue and he has a meeting with the Assistant County Engineer, Chris Vitz, to discuss the intersection improvements. He encouraged approving the Robert Michaels COAH contract and he will then set up a meeting to establish status of existing and proposed COAH units at D.R. Horton and Rock Creek. He reported the PRBSA has acted upon the Paterson Hamburg Turnpike sewer. Once it is approved by the TBSA it will go to the state. He also recommended approving the D.R. Horton request for a bond reduction. He reported that Target is in the process of grading on the site. They have not gotten sewer approval and cannot start building construction until that is resolved. Rock removal, blasting, crushing and soil removal are being done at their own risk and the Borough Attorney has approved the \$12 million bond. He reported that all the facilities on the Wal-Mart site received a temporary C.O. for stocking shelves only. He reported on the

BOROUGH ENGINEER REPORT (continued):

progress at the Senior Community Center and stated that it should be complete in December.

Mayor Budesheim asked if anything had been done regarding the proposed contract for the Board of Health. Councilwoman Wetzel said she would follow up with the Board of Health Chairman regarding the matter.

RESOLUTIONS:

Mayor Budesheim stated that much testimony had been given regarding the composition of the 424 units on Riverdale Road. The age-restricted units were to be built first. Due to changes in the housing market the developer's attorney is requesting the Governing Body authorize construction of the "for sale" units first as Phase I of the development.

Christopher DeGrazia, attorney for TCR, explained they are now at the stage of packaging their financing and are unable to move forward. The market conditions do not support the senior component at this time. He introduced Jeffrey Otteau, President of Otteau Evaluation Group, to explain the market analysis done for TCR to determine whether the construction of this project should be phased relative to one product type being built before the other. He stated the non-age restricted open market segment of this product is still relatively strong. They have seen a significant deterioration of market conditions in the age-restricted piece of the housing market. His opinion is to move forward with the portion of the project that is not age-restricted and delay the construction of the age-restricted portion until that part of the marketplace recovers. He stated that it would begin to recover in about a year.

Mayor Budesheim stated that the proposal is not different than what had been approved. There will still be 212 open market units and the only difference is what gets built first. He said our biggest concern in keeping half the units age-restricted was the schools. Councilman Falkoski asked if it was decided whether the north or south side would be built first. Ashvani Chuchra of TCR stated that it has not. Councilman Falkoski stated there are some unsightly properties on the north side that we were hoping would be remedied. Councilman Astarita asked for the timeline of the project. Ashvani stated they plan to start construction within six months with occupancy 18 months after that. Councilwoman Wetzel asked what they plan to do if the market for age-restricted units does not improve. Ashvani stated he is optimistic it will improve. Councilman Falkoski stated they would have to go to the planning board for approval to make the second half open market. He asked if any site work would be done on the other half of the site. He said his concern is that if TCR were to destroy buildings and not complete the project it is still an overlay zone. Ashvani stated they could ensure that each phase is independent of each other and they will only remove buildings when financing is in place. Borough Engineer Darmofalski stated that the Planning Board has another view of this before they receive a construction permit. Councilman Carelli stated he feels that TCR will complete this phase and return a year from now requesting the other half be open market. He also stated he would like to see the north side constructed first. Councilman Guis stated that if there is a possibility one half might not be built it is very important that the north side get built. Mr. DeGrazia stated that they are still doing an evaluation. Mayor Budesheim stated there is a \$6.25 million sewer deal based on this project moving forward and we will benefit from \$1.5 million in improvements to our system. There was additional discussion regarding the matter.

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

RESOLUTIONS (continued):

- 2) Granting the developer relief from Ordinance 13-2005, Section 3 (J) and authorizing the construction and occupancy of non-age restricted units in Phase I of the development of Alexan at Riverdale, Riverdale Road.

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

COMMITTEE REPORTS:

Councilman Falkoski reported that the Fire Chief had notified him that some of the sirens in the Borough are not working. Replacement cost is approximately \$2,000 each or \$75,000 to replace all of them. There was a brief discussion and it was decided it is not necessary to replace the sirens. The Fire Chief has also requested reimbursement for the hepatitis shots. Mayor Budesheim stated that we are applying for a grant to cover the shots and administration. The Fire Chief has also reported that they found problems with the hydrants at the Wal-Mart site. Mayor Budesheim stated that Wal-Mart is responsible for the repairs. The Fire Chief would also like to purchase various equipment from his budget at a cost of \$6,778 and pagers at a cost of \$2,140 from the capital budget.

Councilman Guis reported that he and the DPW Superintendent have researched the purchase of a shelter for the showmobile. The cost including installation would be approximately \$3,500.

Councilwoman Wetzel reported on the final preparations for the street fair.

Councilman Astarita reported that the repair work is done at the firehouse but he has not yet received prices for the library.

Councilwoman Bush stated she is sending a letter to organizations in the community regarding the Municipal Alliance Committee. The last two Mondays in October are tentative dates to meet with Beth Jacobsen.

RESOLUTIONS (continued):

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

- 1) Approval of request of D.R. Horton, Inc. (The Grande) to reduce their bonds in accordance with the following: Bond #8714367 – reduced to 30% of \$7,699,388.04 = \$2,309,816.41. Bond #8757457 – reduced to 30% of \$4,576,014.54 = \$1,372,804.36. Bond #5010915 to be completely released.
- 3) Approval of proposal submitted by Robert Michaels, Planner to work on COAH, Riverdale Affordable Housing.
- 4) Approval of purchase in the amount of \$6,778 for various equipment and \$2,140 for pagers for the Fire Department.
- 5) Approval of purchase of RV Carport at a cost not to exceed \$4,000 subject to funds being available.

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

PUBLIC PARTICIPATION NO. 2:

Scott Mefford, 122 High Street, Butler stated he wished to update the Council on the events at 22 Overlook Drive. He stated that on September 19th he discovered the soil is being removed outside the development into the Ringwood area. He said that same day a soil mining permit application and fee were filed with the Borough Engineer and Municipal Clerk but he had to wait a few days for a copy. He stated that also on that date a memo from the Borough Engineer's office appeared regarding completion of improvements on the property. He stated that the office of the engineer felt this was an unsafe situation which is the reason no soil movement permits were in place at that time. Mr. Mefford stated the only thing that is unsafe is that he has a giant bulldozer that's carved out within one foot of the property line that hangs over his property line, and his two children and a dog haven't been out since September 6th. He stated the orange construction fence is hardly anything we can look at as far as safety issues. He also stated the application fee and escrow fee for engineering review appeared on the 18th. He stated the soil mining permit which originally listed the total quantity removed as 300 cubic yards was changed to 95 and he can assure that he counted 100 to 200 trucks that he knows hold more than 95 cubic yards. It also says the hours of operation will be 7:30 to 4:00 and on eight different occasions that was violated. He also stated the soil mining application was not dated or notarized. He stated they would also be challenging the permit request for the Borough Engineer who states that he's reviewed the application. He said he read in the Suburban Trends that Mayor Budesheim stated that preserving open space is a number one priority in Riverdale. He asked when someone would step in and start preserving the open space that's being disturbed on his side.

Mayor Budesheim stated that he would not comment and that Mr. Mefford has filed a court action against the borough. Mr. Mefford stated the tort claim means that there may be a situation for suit and he's giving the council the chance to rectify it but they're not interested. Mayor Budesheim stated that Mr. Mefford has accused a lot of people of a lot of things and he will find out he is quite wrong.

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:53 p.m.

Respectfully Submitted:

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

BOROUGH CLERK REPORT:

Deputy Borough Clerk Forbes reported that the company who is placing vending and amusement machines in Wal-Mart has been calling with questions regarding our ordinances. They have asked for our fees for vending machines that contain non-food items such as toys and whether there is a limit to the number of machines they may have. Neither is addressed in our current ordinances. They have also asked whether certain types of machines are considered games of chance. Borough Attorney Oostdyk stated that only games of chance are regulated by the state and he will review our ordinance with Borough Clerk Talerico and make recommendations.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalksi reported on the Senior Community Center. We are making very good progress. He also reported on the Mathews Avenue project. The plans for the intersection with the Paterson Hamburg Turnpike went to the county and they are satisfied with a few minor corrections. We need to talk with two owners for property acquisition. He spoke with our water and sewer consultant Mr. Ryden and we will be improving the water system along Mathews Avenue at the same time as the road improvements. He also reported that Wal-Mart's site improvements are 99% completed and they will do final testing on the light timing at the jug handle. He stated that the light timing on Route 23 has not changed whatsoever during rush hour. Mayor Budesheim stated that the sensors are still not working and we have been getting complaints. Mr. Darmofalksi reported that he did a quarry inspection and has demanded a meeting with the manager because the dust problems have been severe. Councilwoman Wetzel asked if the Senior Community Center facility would be available in January or February for some of the recreation activities being planned. Mr. Darmofalksi said he anticipates it being ready in January for indoor activities.

OTHER BUSINESS

- 1) Notice to Governing Body – Certificate of Determination and Award for Bond Anticipation Notes in the principal amount of \$7,000,000 to Commerce Capital Markets Inc., Philadelphia, Pennsylvania at a price of \$7,023,940 plus an amount equal to the interest on the Notes accrued to the date of payment of the purchase price. (copy of certificate distributed)

UNFINISHED BUSINESS:

- 1) **Introduction of Ordinance No. 22-2006;** Ordinance Amending the Revised General Ordinances of the Borough of Riverdale and Regulating the Removal and Replacement of Trees. (Shade Tree).
- 2) Stormwater Management Plan Ordinance.

CORRESPONDENCE:

- 1) From the Pequannock River Coalition stating they have received a small grant to initiate development of water trail on the Pequannock/Pompton Rivers. (copy of letter distributed)

Mayor Budesheim stated that they will be applying for this grant and are seeking our cooperation. He will let Mr. Kushner know that we support them unless someone has a problem. Councilman Guis asked if there would be any impact on us in terms of maintenance. Mayor Budesheim stated it should not be any more than we currently have with picnicking and fishermen at Appelt Park.

CORRESPONDENCE (continued):

- 2) From Mr. George P. Walker, Jr. 80 Newark Pompton Turnpike, Riverdale, stating even though his variance application for a new garage was designed back in 2004 he still needs a one lane curb cut out onto Sonya Terrace. (copy of letter and attachments distributed)

Borough Engineer Darmofalski reviewed the correspondence and said that Mr. Walker has been directed to come to his office for a curb opening permit so we can act upon it through the proper channels. He will respond to Mr. Walker.

- 3) From the Morris Land Conservancy presenting a proposal to serve as “open space advisor” to the Borough of Riverdale. (copy of letter distributed)

Mayor Budesheim stated that between our planner and the river coalitions he feels we have enough advisors on open space.

COMMITTEE REPORTS:

Councilman Falkoski reported that the Fire Chief had notified him that that they are sponsoring a beefsteak on December 2 at the Bloomingdale firemen’s hall and tickets are \$35. It is a fundraiser for their 100th anniversary celebration next year.

Councilwoman Wetzel praised June Carelli and the Recreation Committee for a fine job with fright night. They are planning a holiday celebration on December 16th and they would like to hold it on the lawn of the borough hall. Mayor Budesheim stated that our recreation program has become first rate and he is very proud of everyone on the committee.

Councilman Astarita reported that the work at the firehouse is progressing. It should be completed this week and then he will start at the library.

Mayor Budesheim reported that we had been talking with Ringwood for the past six weeks regarding a proposal for a health officer. Their council voted down the proposal that they had given to us. The Mayor stated that there is now a countywide Health Officer and a few towns in Morris County will be without a health officer. We might be able to share a sanitarian with the other towns. He stated that he will attend the Freeholder meeting tomorrow night. He also suggested Tuesday, January 2 at 7:00 p.m. for the reorganization meeting. He would like to invite all of the appointees to be sworn in and receive certificates and make it a special night.

RESOLUTIONS:

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

- | | | | |
|----|--|---|----------|
| 1) | Payment of Claims: | | |
| | a) Verizon Wireless | - | \$50.84 |
| | b) Printing & Signs Express | - | \$200.00 |
| | c) Approval of Expense checks-Convention | | |
| | 1) William Budesheim | - | \$550.00 |
| | 2) Carol Talerico | - | \$450.00 |
| | 3) Donna Bush | - | \$400.00 |
| | 4) Ted Guis | - | \$400.00 |
| | 5) Gary Astarita | - | \$400.00 |
| | 6) Joseph Falkoski | - | \$400.00 |
| | 7) Paul Carelli | - | \$400.00 |

RESOLUTIONS (continued):

- d) Carefree Bus Tours - \$695.00
- e) Mountain Creek – Ski-Snowboard Program - \$4,537.55
- 2) **Resolution No. 86-2003;** Transfer of Appropriations.
Current Fund:
 - a) From: Professional Engineering To: Vehicle Maintenance \$2,000
 - b) From: Fire Hydrant Service To: Vehicle Maintenance \$5,000
- 3) **Resolution No. 84-2006;** Lien Redemption
- 4) **Resolution No. 85-2006;** Lien Redemption

ORDINANCES:

- 1) **Introduction of Ordinance No. 25-2006;** Ordinance amending Chapter 126 of the Revised General Ordinances of the Borough of Riverdale Pertaining to Peace and Good Order.

The introduction of this ordinance was tabled.

- 2) **Introduction of Ordinance No. 26-2006;** Ordinance Amending Chapter 76 of the Revised General Ordinances of the Borough of Riverdale entitled “Amusements and Entertainment”.

The introduction of this ordinance was tabled.

Mayor Budesheim stated he had questions on Ordinance 26-2006. He stated that he didn't think asking applicants if they've ever been arrested or convicted of a crime was necessary and it would be a matter of record if they were serving alcohol. Councilman Falkoski stated the ordinance would address other venues that would not be serving alcohol. Mayor Budesheim stated that what we are trying to accomplish is the quietness, safety and well being of the residents and he doesn't want to go too far into background checks. It was agreed that section 6 on page 2 be eliminated. Mayor Budesheim then asked how section E on page 2 would deal with pre-existing conditions and questioned sections 4 and 5 on page 3 regarding disorderly persons offenses and evidence of bad character. Councilman Falkoski stated some of these items would already be reviewed if they have a liquor license. Borough Attorney Oostdyk stated these are an attempt to give reasons why a license can be withheld. There was additional discussion regarding possible applicants for this license. Councilwoman Wetzel questioned whether this would apply for events held at the Senior Community Center if we were to rent it. Borough Attorney Oostdyk stated we might need to be more specific in the ordinance. Mayor Budesheim stated that the fact that they have a loudspeaker and amplifier is what's triggering this and he doesn't see the need for it. Councilman Falkoski stated this would create leverage to be able to control something that is taking advantage and creating a public nuisance. Mayor Budesheim said he understood and agreed with the purpose but continued to question the need for background checks and the person's character. Councilman Guis stated that a licensee's personal life doesn't necessarily reflect how a business is run or the entertainment. There was continued discussion about the relevance of these items. Councilman Astarita stated there is no harm in putting the questions on the application and asked what the down side would be. Mayor Budesheim stated he is trying to make it easier and we don't do this for any other business. Councilwoman Wetzel stated the only item she would eliminate is 5 which is concrete evidence of bad character. Councilman Carelli said the application should ask if you've ever been convicted of a crime without listing the crimes. It was decided items 4 and 5 on page 3 should be eliminated. There was additional discussion regarding interpretation of the ordinance, organizations that would be exempt and whether the license would

ORDINANCES (continued):

apply to the organization sponsoring the event or the establishment hosting it. Mayor Budesheim asked if it was necessary for security personnel to first be approved by the Chief of Police. There was discussion regarding concern for liability and it was decided to eliminate that requirement. There was additional discussion regarding security requirements and interpretation of the ordinance. Councilman Falkoski stated that this is a proven ordinance. Mayor Budesheim stated that he would rather address the problem that is triggering this ordinance. Councilman Falkoski stated he did not agree because this problem could arise in some other place in the future. This town is growing and we should have something in place that is not discriminatory. He stated that this had been discussed a few meetings ago and asked why it is suddenly an unreasonable thing to do. Mayor Budesheim stated the meeting is for discussing it. He then stated that he felt a suspension of license for six months is excessive for a first offense. Most of the problems are occurring in the parking lot and are not necessarily controlled by the business owners. There was discussion regarding the penalties and fees. Mayor Budesheim stated this is going to far beyond what he had imagined. Councilman Astarita stated there was no point in creating an ordinance that has no teeth. Councilman Falkoski stated this model ordinance was chosen because it has the simplest application process. There was discussion whether a license should be required for a one-day event. Mayor Budesheim stated that one establishment spurred this on where the noise and disturbances were going beyond its boundaries and that's the one we should address. Councilman Falkoski stated that would be discriminatory. Councilwoman Wetzel stated that we were caught off guard because we didn't have an effective ordinance in place and we don't want that to happen again. Having something in place protects us. Councilman Falkoski stated that it is a good ordinance that will help the town. There was discussion regarding how to address security in the parking lot. It was agreed that due to the number of issues Ordinance 26-2006 would be tabled until the next meeting.

After a brief discussion it was agreed Ordinance 25-2006 would be tabled until the next meeting.

PUBLIC PARTICIPATION NO. 2:

Robbie Paige explained what they have done as far as sound testing at Dexter's. He stated that the music cannot be heard on Mr. Falkoski's side of the street. He stated he is concerned with the proposed ordinance, as he understands his license could be taken away if there is a complaint that car wheels are screeching in the parking lot. He stated that he was given approval to operate a club and now is being told he has to pay for it and it can be taken away if there's some public nuisance in the parking lot. Mrs. Paige stated that they don't have any summonses and no one ever came to them with complaints. Mr. Paige stated that a Riverdale police officer informed him his security should not leave the curb in front of his establishment. Police Chief Soules stated that they should not have a confrontation with people in the parking lot but they can have a presence there. Mr. Paige stated that he is trying to be compliant and get along with his neighbors. He invited anyone to come up on a Friday or Saturday night and listen. Councilman Falkoski stated that Mr. Paige is accusing him of trying to put them out of business and he wants to set the record straight. He said he's been in government for a long time and if he's against an issue he will fight against it but if the issue passes he'll support it with all his strength. He said he was not in favor of the club going in there but he recognizes that it is there and Mr. Paige is entitled to run his business but not to disturb the neighborhood. There was disagreement between Mr. Paige and Mr. Falkoski. Mr. Falkoski agreed the noise from the music has improved but the parking lot disturbances are unreasonable. There was discussion regarding security to control the parking lot problems and whether the property owner or business should be responsible. It was agreed that security provided by the police department would be more effective than a security company. The cost could be \$75 to \$95 per hour.

PUBLIC PARTICIPATION NO. 2 (continued):

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:45 p.m.

Respectfully Submitted:

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

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 130-A**RESOLUTIONS:**

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

- 1) Payment of Claims.
 Additional Payments not on bills list:
 - a) Paul Carelli Refund Expenses \$ 151.25
 - b) Carefree Bus Serv. Bussing-Christmas Show (max) \$ 600.00
 - c) Fire Dept. Members Clothing Allowance \$ 4,716.00
 (per list distributed)
- 2) Approval of Escrow Payment to following:
 - a) Paul Darmofalski, P.E. Target Corporation \$ 5,280.00
 - b) Paul Darmofalski, P.E. D. R. Horton \$ 3,520.00
 - c) Paul Darmofalski, P.E. K&K Developers \$ 9,490.00
 - d) Paul Darmofalski, P.E. Majestic Homes/Beazer \$ 240.00
 - e) William Ryden, P.E. K&K Developers \$ 2,443.00
 - f) William Ryden, P.E. D.R. Horton \$ 443.14
- 3) **Resolution No. 87-2006;** Approval of 2007 Morris County Adaptive Recreation Program (McARP) Membership.
- 4) Authorizing Agreement between Borough of Riverdale and Holt-Morgan-Russell Architects, P.A. for Preservation Plan for the Glenburn House and Site at the fixed fee of \$29,040.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 130-B AND C**UNFINISHED BUSINESS:**

- 1) Introduction of Ordinance No. 22-2006; Removal and Replacement of Trees. (Shade Tree Committee).

Councilman Carelli stated this ordinance would not be introduced this year.

- 2) Ordinance No. 25-2006 – Ordinance amending Chapter 126 – Peace and Good Order. (Tabled 11/06/2006)

Mayor Budesheim stated that he reviewed the editorial analysis from General Code Publishers. This ordinance was passed almost 60 years ago and many items have been superseded by the Code of Criminal Justice and should be removed. Mayor Budesheim read the sections to be removed.

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

ORDINANCE 25-2006

ORDINANCE AMENDING CHAPTER 126 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE PERTAINING TO PEACE AND GOOD ORDER

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 131-D

- 3) Ordinance No. 26-2006 – Ordinance amending Chapter 76 Amusements and Entertainment

Councilman Falkoski stated this ordinance would be scheduled for discussion at the next workshop meeting.

MAYOR REPORT:

Mayor Budesheim reported the Christmas Party will be held December 15th at 1:00 p.m.

COMMITTEE REPORTS:

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

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:45 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.

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

Thomas Martin of Newbury Place asked if something could be done to restrict parking at the entrance to Newbury Place from Newark Pompton Turnpike. He stated that cars parking up to the corner on the right side are creating a dangerous situation. After discussion it was decided to prepare an ordinance for January that would prohibit parking 50 feet from the corner.

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

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

ORDINANCES:

- 1) **Introduction of Ordinance No. 27-2006;** Ordinance authorizing the execution of a contract for the purchase of Block 12, Lot 1, from Dube Development Inc., L.L.C.

The introduction of the ordinance was tabled until January.

Mayor Budesheim stated we received a grant of approximately \$72,500 from Green Acres and he would like to apply to the County Open Space for additional funds next year. Acquisition of this property will preserve the integrity of the Van Ness site. Borough Attorney Oostdyk stated that our appraisal of this property was \$145,000 and the seller's appraisal was approximately \$280,000.

RESOLUTIONS:

Mayor Budesheim asked if there were questions or comments regarding the resolutions.

Borough Clerk Talerico stated that she spoke with Gene Williams of Platinum Business Services regarding credit card payments for on line purchases. He stated that we did not have to sign the paper regarding ultimate responsibility but could send a letter certifying that she or the Mayor is authorized to sign an agreement as officials of the town.

NEW BUSINESS:

- 1) VSAP Program Award 2006. Two different invoices received from the PLFAS, one depicting a higher amount of award. (copy of invoices distributed to Mayor & Council).

Mayor Budesheim stated we had originally agreed to \$200 and to increase it by \$100 each year until we reached the \$1,100 maximum that Pompton Lakes was offering. It

NEW BUSINESS (continued):

had been \$400 last year and they did not know if we had agreed to \$500. There was discussion regarding lack of communication between the governing body and the first aid squad. Councilman Carelli stated we had budgeted \$13,500 which is not enough for the higher invoice. It was decided to approve the lower invoice in the amount of \$12,728.

- 2) 2007 Interlocal Services Agreement for E-9-1-1 dispatch Services for renewal. Fee for 2007 is a \$5,000.00 base fee plus \$1.15 per resident based on the 2005 population estimate. The total cost for the 2007 contract will be \$8,030.25. (copy distributed to Mayor & Council)

Mayor Budesheim stated the E-9-1-1 costs went down by approximately \$3,200.

Councilman Falkoski stated that he had wanted to discuss the Amusements and Entertainment Ordinance so it could be introduced in January. Borough Attorney Oostdyk stated that we would do it in January.

MAYOR REPORT:

Mayor Budesheim stated that the Reorganization Meeting would be held on January 2, 2007 at 7:00 p.m. All those being sworn in to any boards or committees should be in attendance. He also reported that one of the lampposts would be dedicated to Michael Dedio for serving 25 years as Mayor. He reported that he received another request from the Township of Wayne regarding our interest in the bike path. After a brief discussion it was decided that we are not interested in the bike path agreement.

BOROUGH ENGINEER REPORT:

Borough Engineer Darmofalksi reported that an extension of time was granted for the Paterson Hamburg Turnpike sewer until May 30, 2007. He reported that his plans for Mathews Avenue are 95 percent complete. This project has to be awarded by January 27, 2007. He also reported that he would meet with the construction manager for the Wal-Mart complex on Wednesday to review his complaints. He met with the quarry regarding dust complaints and recommends we have them attend a council meeting in February for further discussion. Mayor Budesheim asked Mr. Darmofalski to send a letter requesting they verify night operation dates and hours for 2004 through 2006. Borough Clerk Talerico stated that she has not received very many notifications recently. Mr. Darmofalski also reported on the work at the Senior Community Center. He stated the building would be available for recreation only on the first floor by January 1st. We continue to make very good progress and many local businesses have been extremely generous with this project. Mayor Budesheim stated that the gate at the Grande on DeGraw Avenue should be electronically controlled and they should live up to the site plans before we issue more C.O.'s.

COMMITTEE REPORTS:

Councilman Falkoski reported that the Kinnelon Police Chief did not receive a copy of the dispatching contract. Borough Clerk Talerico stated that we always send the signed contacts to Kinnelon for their signatures and we never get them back. Councilman Falkoski also reported that there is still a problem with ice forming on the jug handle at Cotliss Road.

Councilwoman Wetzel reported the director of the Bloomingdale Senior Center sent a resume and letter expressing interest in working as a consultant for our senior center until a permanent director can be found. She also reported the Board of Health has contracted with the Pequannock Health Department for approximately \$16,000. This includes their

COMMITTEE REPORTS (continued):

health educator and doctor fees for clinics. We will be pooling staff services with the other towns they cover. The health officer is available 24 hours, 7 days week. Peter Correale heads the department and is also the president of the Morris County Health Alliance. She stated that it appears there will be many benefits for Riverdale and credited Board of Health Chairman Larry Feld for an excellent job. She also reported the Holiday Gathering will take place December 16h outside the municipal building.

Councilman Astarita reported that the work at the firehouse is almost complete. There is still a leak in the library roof and Alan will attempt to determine the problem when it is raining. He reported that Morris County Community Development meetings are beginning and he will be attending. There was discussion regarding eligibility for grants for the Senior Community Center and through the Riverdale Land Conservancy for the Van Ness house.

RESOLUTIONS:

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

- 1) **Resolution No. 84-2006;** Authorizing Councilman Theodore Guis to be signature to sign on behalf of the Borough of Riverdale for any contract between the Borough of Butler and Target for sewer acquisition.
- 2) Resolution to establish the 2007 Reorganization Meeting on January 2 at 7:00 p.m.
- 3) Resolution to approve Mr. George Walker's Sonya Terrace curb cut as reviewed and approved by Borough Engineer, Paul Darmofalski.
- 4) Resolution to approve soil mining permit for Mr. & Mrs. Scott Trowse, 99 Riverview Terrace as approved by Borough Engineer, Paul Darmofalski. 75c.y. to be moved exempting public hearing rule of soil movement ordinance.
- 5) Approval of payment of \$450.00 to Carefree Bus Service for the Christmas Spectacular Show.
- 6) Authorizing Mayor Budesheim to endorse a Contract/Agreement with Jersey Central Power & Light Company for the installation of electric distribution facilities at the Senior Community Center, utilizing a "Minimum Charge Contract Demand" to enable the minimum up-front customer contribution.
- 7) Authorizing Mayor Budesheim to sign an agreement for credit card payments for on line purchases.
- 8) Approving payment of invoice in the amount of \$12,728 from PLFAS for VSAP Program Award 2006.
- 9) Resolution to declare the Borough of Riverdale is not interested in the Interlocal Bike Path Agreement with Wayne and Pequannock Township.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 134-A

Mayor Budesheim reported that Lincoln Park asked if we would be interested in a health service agreement at an increased cost over last year. He stated that Larry Feld declined the offer.

CLOSED SESSION:

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

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

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

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

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:10 p.m.

Respectfully Submitted:

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

CLOSED SESSION:**LITIGATION:**

Borough Attorney Oostdyk reported on the Mefford-Riverdale (Guinta Soil Movement) litigation. The site plan approval did show an area in the rear of the Guinta property marked "undisturbed area" but no open space easement was dedicated to the Borough. The Guinta property had drainage problems there and the slope would not stay. Borough Engineer Darmofalski stated all the properties in the subdivision had to be re-landscaped. He felt an extension of the retention wall was necessary to control drainage and soil erosion. Mr. Darmofalski stated the soil condition prompted the wall being put in. Mr. Mefford had stated that they moved more soil than was permitted under the permit obtained by the Guintas. Borough Attorney Oostdyk stated they may offer additional landscaping in the area that he is complaining about. He reported our response is not what Mr. Mefford wants. Mr. Oostdyk stated the Engineer's actions were within his authority as the Borough Engineer.

CONTRACTUAL NEGOTIATIONS WITH LINCON PARK:

Mayor Budesheim reported that Lincoln Park wants to re-open negotiations for sewer gallonage purchase. We will negotiate on equal footing and will not sell the town for this project.

CONTRACTUAL EMPLOYEE NEGOTIATIONS:

Councilman Guis reported on negotiating with DPW employee, Bob Corter, for early retirement. Hospitalization for 3 years at \$1,000 per month will get him to age 65. He would also be entitled to 5 weeks vacation pay and the maximum unused sick pay of \$9,000. We have already hired another mechanic to replace him. Councilwoman Wetzel as well as Councilmen Carelli, Astarita and Falkoski were in disagreement with the concept. Council decided they wanted more information to work with in order to make a decision on this matter. Councilman Carelli stated that it should be put in writing so we can review it before making a decision.

ORDINANCES:

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

ORDINANCE 25-2006**ORDINANCE AMENDING CHAPTER 126 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE PERTAINING TO PEACE AND GOOD ORDER**

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

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

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

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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, **RESOLVED** that Ordinance No. 25-2006 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 138-A**RESOLUTIONS:**

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

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

a)	Paul Darmofalski, P.E.	Target Corporation	\$ 8,800.00
b)	Paul Darmofalski, P.E.	D. R. Horton	\$ 3,260.00
c)	Paul Darmofalski, P.E.	K&K Developers	\$ 4,240.00
d)	Paul Darmofalski, P.E.	Majestic Homes/Beazer	\$ 360.00
e)	William Ryden, P.E.	K&K Developers	\$ 748.48
f)	William Ryden, P.E.	D.R. Horton	\$ 388.98
g)	William Ryden, P.E.	Target Corporation	\$ 325.00
- 3) **Resolution No. 88-2006**; Cancellation of Improvement Authorizations.
- 4) **Resolution No. 89-2006**; Cancellation of Prior Year Outstanding Checks.
- 5) **Resolution No. 90-2006**; Cancellation of Various Balances.
- 6) **Resolution No. 91-2006**; Transfer of Appropriations – 2006.
- 7) **Resolution No. 92-2006**; Temporary Appropriations – 2007.
- 8) **Resolution No. 94-2006**; Authorization of Mayor Budesheim to sign an agreement with the County of Morris for an Interlocal Services Agreement for Emergency Services for the year 2007.
- 9) Resolution to approve 4 coin operated amusement devices at Wal-Mart.
- 10) Resolution to schedule a year end Special Council Meeting Thursday, December 28, 2006 at 9:00 a.m. to finalize any financial matters or other matters as deemed necessary by the Governing Body.

RESOLUTIONS (continued):

11) Resolution No. 95-2006; Emergency Appropriation - \$25,000 Police Salaries and Wages

12) Resolution No. 96-2006; Emergency Appropriation - \$25,000 Water o/e.

13) Escrow payments to the following:

- | | | | |
|----|---------------------|--------------------|-----------|
| a) | William Ryden, P.E. | K&K Developers | \$ 142.36 |
| b) | William Ryden, P.E. | D.R. Horton | \$ 173.62 |
| c) | William Ryden, P.E. | Target Corporation | \$ 726.40 |
| d) | William Ryden, P.E. | Alexan Riverwalk | \$ 65.00 |

ROLL CALL: Ayes: Bush, Wetzel, Guis, Astarita, Carelli, Falkoski

Nays: None

(6 ayes – 0 nays – motion carried)

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 139-B, C, D, E, F, G, H, I AND J

MAYOR REPORT:

Mayor Budesheim reported that appointees to any boards need to be notified of the reorganization meeting. If anyone wants any certificates of appreciation presented that night the information should be sent to the Mayor. He stated that Borough Engineer Darmofalski would provide refreshments for a reception at the Senior Community Center after the meeting if a C.O. were obtained. It was decided to invite each of the boards and to send a written invitation to each of the appointees.

COMMITTEE REPORTS:

Councilman Falkoski reported that he had an application from Dennis Dakake for membership to the Riverdale Volunteer Fire Department. He has been a member of the Pompton Lakes Fire Department since 1989.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to appoint Dennis Dakake as a member of the Riverdale Volunteer Fire Department.

ROLL CALL: Ayes: Bush, Wetzel, Guis, Astarita, Carelli, Falkoski

Nays: None

(6 ayes – 0 nays – motion carried)

Councilman Falkoski reported the Municipal Court Report for the month of November. He also reported that a situation exists in the Cotliss Road area where he counted 21 empty gallon wine bottles along the road. He believes the workers at the Grande are throwing them out of their cars when they get off from work at the end of their shift. Security there would like to work with the Riverdale police to try to determine who is doing this.

Councilwoman Wetzel reported on the holiday celebration held on Saturday. She congratulated June Carelli and the Recreation Committee on another very successful event. People were very enthusiastic and looking forward to it becoming an annual event.

Councilman Astarita reported that the transfer station tipping fee increase will be phased in over the next few years. He reported on the Community Development meeting he attended. A motion was put forth and passed to allow communities to submit only one application per year. The limit is \$80,000 and we are eligible. The application deadline is 5:00 p.m. on January 26th. Councilman Astarita made recommendations for our

COMMITTEE REPORTS (continued):

presentation for the Senior Community Center. He stated that a non-profit organization can make it's own application.

Councilwoman Bush reported that she received packets from Beth Jacobson for the Municipal Alliance Committee. They will be given to the committee members for review prior to the January meeting.

Councilman Falkoski stated that he had left a message for the reporter at the Suburban Trends to advise we were swearing in a new police officer tonight. He had suggested she bring a photographer with her to the meeting. She did not attend.

PUBLIC PARTICIPATION NO. 2:

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

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:10 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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 GOVERNING BODY FOR THE CONCLUSION OF YEAR 2006:

Councilman Carelli reported on the purchase of a home theater system for the senior center. The purchase would most likely cost a maximum of \$11,000 and the payment will most likely be paid out of donation dollars or possible capital money from two grants. Two additional quotations are needed to purchase the items.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to approve the purchase of a home theater system for the Senior Community Center at a maximum price of \$11,000 after obtaining two additional quotations.

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

Councilman Falkoski reported on the problem of transferring funds from the fire and police budgets that had been appropriated for purchases for those departments. The firemen were unaware of the transfers and Councilman Falkoski stated they felt they should have at least been notified. Borough Clerk Talerico mentioned at this time the transfers were needed due to funds being needed by other departments that were short in their budgets. Also, that if the purchasing practices among department heads were utilized in the proper manner by obtaining purchase orders prior to making purchases, this problem would not exist at the end of each year requiring the transfers to cover expenditures made prior to checking balances in their accounts. The encumbrance system is required by law in the State of New Jersey for this exact reason of not over expending budgets. Ms. Talerico also mentioned that both she and Councilman Carelli and Finance Officer Kenneth Sesholtz had discussed putting a purchasing policy in place to be followed by all departments.

Mayor Budesheim reported that there are possibly two people leaving the DPW in 2007. One will be replaced for the building cleaning and maintenance. The other may not be replaced. The Borough of Butler now hires out its lawn maintenance to a private contractor and it costs them approximately \$12,000 per year. It may be more beneficial for the borough to do the same for our grounds maintenance and not replace the other employee.

Councilman Carelli brought up the employee's salary increases for the year 2007 and discussed the increase being 4%. The council members discussed the increase and decided it was a reasonable one. Councilman Carelli stated that he would have the resolution ready for the next meeting so the payroll would not have to include months of retro pays.

Mayor Budesheim reported on the possibility of changing the parameters of offering of health benefits to employees. Possibly not offering family coverage to new hires, the

employee would have to pay for the family portion of the policy as a payroll deduction if they opt to take it. Also, at this point a lot of the existing employees opt for the Traditional Plan which is a more expensive plan but may not be any better than the NJ Plus plan. If the employees that are on the Traditional Plan changed to NJ Plus, Riverdale would save approximately \$60,000 per year. This idea will have to be investigated and probably would not be able to go into effect until 2008. We will also have to check the police contract to be sure it does not state that they have to be offered a better or comparable policy.

Municipal Clerk Talerico mentioned that there is a problem with the way personal days are addressed in the personnel policy manual. It does not give any time limit of employment prior to the employee being entitled to taking their personal days. It was discussed to possibly address it as 1 day for every 4 months employed for the first year.

Borough Engineer Paul Darmofalski reported that a thorough investigation of the quarry dust is being done through the new Health Officer, Peter Correale, and a tentative meeting is planned for January 5th at 9:00 a.m. He is awaiting confirmation on the date and time.

RESOLUTIONS:

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

- 1) Payment of Claims.

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

COPY OF BILLS LIST IN FULL ON PAGE NO. 142-A

ADJOURNMENT:

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

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

Adjourned: 10:25 a.m.

APPROVED:

Respectfully Submitted:

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