

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 4, 2008 General Election as follows:

<b>NAME</b>	<b>OFFICE</b>	<b>TERM</b>
Theodore Guis	Borough Council	3 Years
Elaine Wetzel	Borough Council	3 Years

**OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED OFFICIALS:**

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

**ROLL CALL:**       **Present:**     **Astarita, Bush, Falkoski, Guis, Wetzel, Carelli**  
                           **Absent:**       **None**

**INTRODUCTION OF NEWLY ELECTED OFFICIALS AND REMARKS BY SAME.**

**COUNCILWOMAN ELAINE WETZEL:**

I want thank the residents of Riverdale for their support, yet again. I know this is a tough economic time for everybody and tough political times and I just hope everybody trusts us to do a good job. I think that we work very hard to keep things pretty tight in town and I look forward to working with everybody once again. Everybody puts a lot of time and effort into what we do here and I think it does pay off. I just hope the residents understand that it's going to be tough this year, but I know everybody will work very hard and do the best that they can to keep things running smoothly here in town. I look forward to working with everybody yet again.

**COUNCILMAN THEODORE GUIIS:**

I'd like to thank the public for re-election. As Elaine was saying, this year is going to be tough. However, if the past years are any indication, a lot of the projects we've been able to work because we've had a lot of volunteerism in the town. We've had people helping us with donations and that's been particularly rewarding for me. A lot of the work at the Senior Center and where we've had help from residents and businesses in town, and I'll do my best to continue trying to maintain the level of service and hopefully do more with less because times are going to be a little bit leaner.

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

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

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

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

**RESOLUTIONS:**

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

- 1) **Resolution No. 1-2009;** Re: Official Legal Newspaper – Suburban Trends.
- 2) **Resolution No. 2-2009;** Re: Annual meeting schedule – 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month at 7:30 p.m.
- 3) **Resolution No. 3-2009;** Re: Bank Signatures and Depositories.
- 4) **Resolution No. 4-2009;** Re: Delinquent Taxes.
- 5) **Resolution No. 5-2009;** Re: Local Public Contracts Law.
- 6) **Resolution No. 6-2009;** Re: Work Periods – Law Enforcement.
- 7) **Resolution No. 7-2009;** Re: Official Holidays – Borough Employees.
- 8) **Resolution No. 8-2009;** Re: Cash Management Plan

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

**COPY OF RESOLUTIONS IN FULL ON PAGES 3-A, B, C, D, E, F, G AND H**

**COUNCIL TO SELECT PRESIDENT OF COUNCIL:**

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

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

**MAYOR BUDESHEIM NAMES COUNCIL COMMITTEES:**

Mayor Budesheim stated the 2009 Council Committees:

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

**COUNCIL TO APPOINT PLANNING BOARD LIASON:**

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

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

**2009 APPOINTMENTS MADE BY MAYOR BUDESHEIM AND CONFIRMATION OF COUNCIL:**

The Borough Clerk and Mayor Budesheim read the names into the record of the 2009 Appointments.

Mayor Budesheim requested Council confirmation of the 2009 Appointments.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, for Council confirmation of the 2009 Appointments as listed.

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

**COPY OF 2009 BOROUGH OF RIVERDALE APPOINTMENT LIST IN FULL PAGE NO. 3-I**

**RESOLUTION:**

Borough Clerk Talerico stated that Resolution No. 9-2009 was requested by the Finance Officer.

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

- 9)       **Resolution No. 9-2009;** Transfer of 2008 Appropriation Reserves

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

**COPY OF RESOLUTION IN FULL ON PAGE NO. 3-J**

**REMARKS MADE BY MAYOR WILLIAM BUDESHEIM:**

Here we are, another year, and again we look back on what was and look forward to what may be. In the past year, in March, Governor Corzine began his assault on the smaller more efficient communities in New Jersey. In spite of that, our municipal share of the tax rate went up just enough to cover the loss of state aid. In May we had the chemical spill on I-287 resulting in a response of over 200 emergency personnel from the region. The Riverdale Fire Department proved that they have what it takes in any emergency. We continued with our free summer concert series in the park enjoyed by many thousands. We were awarded a grant to build the youth center in the lower level of the Senior Community Center. The dedication of the building was held in November and was attended by many residents, Freeholders and other officials. In December we started the Riverdale Food Pantry for those residents in need of assistance and it has been met with overwhelming response by those contributing to the pantry. Looking ahead, we do have our work cut out for us. Areas that have to be addressed this year are the municipal budget, how to continue providing the same level of service at the same level of cost. We'll try our best, but under the new fiscal policies thrust upon the municipalities by the state, the state is almost guaranteeing an increase of four percent in local property taxes each year. This was done supposedly in the name of local property tax reduction. COAH - where to go and how to solve the problem of another unfunded state mandate. Some day we will be told what our obligation will be and how we will be able to meet those obligations. This must be done before the end of the year. Sewers – we are under a new connection moratorium forced on us by the Pequannock River Basin Regional Sewer

**REMARKS MADE BY MAYOR WILLIAM BUDESHEIM (continued):**

Authority. The Authority claims that we have an inflow and infiltration situation resulting in hundreds of thousands of gallons of treatable waste that we must pay for but for which we cannot bill anyone. We have spent three years looking for this mysterious I & I problem but we can't find it. The developer has hired a sewer engineer and spent hundreds of thousands of dollars including the placing of 18 meters to monitor the pipes. They can't find it. The Authority itself has told me that they work on the Riverdale problem every meeting. They can't find it. However, tonight, we received a new bill from the Authority for 2009. This new adjustment is for an additional \$96,000 in charges based on an increase of the inflow and infiltration. They were able to determine this in spite of the fact that their meter has been out of commission for the past four months. Our annual charge went from \$518,000 in 2008 to \$656,000 in 2009. This is a 27% increase. No town can be expected to absorb such increases. Other areas that we'll be continuing to explore will be shared services. One would hope that with all the talk about shared services that roadblocks would be taken down instead of put in place. However, when Bloomingdale contacted us to provide library services to them, Morris County sort of went out of its way to make sure that didn't happen. They made it financially impossible for a town to share library services right now. The other areas that we will be working on are 9-1-1 Police Dispatch and the road programs. We're looking to complete the facility down by the Community Center. Like everyone says, we do have a lot of work ahead of us and we're going to do our best and hopefully we'll have an even tax rate this year.

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 7:18 p.m.

**APPROVED:**

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

**ROLL CALL:**       **Present:**     **Astarita, Bush, Falkoski, Guis, Wetzel, Carelli**  
                           **Absent:**       **None**

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

**APPROVAL OF MINUTES DATED:**

**Regular Meeting – 12/15/2008**  
**Special Meeting – 12/30/2008**  
**Reorganization Meeting – 01/05/2009**

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

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

**RIVERDALE QUARRY LICENSE RENEWAL HEARING**

Borough Engineer Paul Darmofalski reported on his review of the Quarry's application and made the following recommendations. There is a deficiency in the amount of the bond required by ordinance which should be twice the amount of \$700,000 currently posted. He asked that the Quarry update the Borough when there is change in key personnel. The emergency access road is barely passable and he asked that it be improved for emergency vehicle access.

Brian Montag, Counsel for Tilcon Quarry, agreed with the points raised by the Borough Engineer. He stated the February 19, 2003 settlement agreement outlines their six year time frame for renewal, including a \$1,400,000 bond and \$15,000 application fee.

Kevin Page, P.E., P.P., President of Page Engineering Consultants, presented the reclamation plan to the Governing Body. The quarry may be up to 100 years old and they anticipate being done in 6 to 8 years depending on the economy. When done, there will be 65 usable acres graded at a 1% pitch toward Hamburg Turnpike. They will bring in about 3 feet of earth and rock to provide a root zone. Approximately 1-1/2 to 2 years before the end of the quarry, they will begin implementing the reclamation. They will work with the Governing Body in preparation for future development. He answered questions from the Mayor and Council.

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

There were none.

Mayor Budesheim asked the quarry representatives to address the dust problem, asphalt odor and blasting. Mr. Montag stated there should be less than one blast per week.

Brad Carroll, Tilcon Area Manager, addressed the issue of dust control and blasting. Mayor Budesheim asked if the street sweeping could extend the entire length of Hamburg Turnpike and the Newark Pompton Turnpike. Mr. Carroll stated the sweeping could be extended and we could work together. There was discussion regarding the attempt to

**RIVERDALE QUARRY LICENSE RENEWAL HEARING (continued):**

suppress dust during high wind conditions. Councilman Guis asked if the issue of the \$500 fee paid to the borough for night operations had been resolved. Mr. Montag stated they have to go back and calculate that, they understand it is an issue and they will get it resolved.

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

Pat Salvati asked if the quarry would blast or be crushing earlier than 6:00 a.m. Mr. Carroll said they would not and most of their blasting was around noon. Ms. Salvati stated that she has heard crushing as early as 5:00 a.m.

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

**ALL IN FAVOR.**

There was Council discussion regarding the conditions of renewal of the Quarry license. The Borough Attorney will prepare a resolution for the next meeting.

**PUBLIC PARTICIPATION NO. 1:**

Pat Salvati asked for clarification of the borough parking ordinances. Mayor Budesheim stated that cars should be removed from the street as soon as a snowfall begins to allow for sanding as well as plowing. Parking is prohibited from midnight until 6:00 a.m. from December 1 through March 31.

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

**ALL IN FAVOR.****ORDINANCES:**

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

**ORDINANCE 01-2009****ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE PLACEMENT OF CLOTHING BINS WITHIN THE BOROUGH**

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

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

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

**ORDINANCES (continued):****ORDINANCE 02-2009****ORDINANCE AMENDING CHAPTER 95 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
AND PROVIDING FEES FOR USE OF POLICE SERVICES BY  
OUTSIDE CONTRACTORS**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 7-A****RESOLUTIONS:**

Borough Attorney Oostdyk explained the Agreement for Municipal Services with the Grande. Councilman Carelli stated that he has reviewed all of the bills and recommends approval of payment of claims.

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

- 1) Payment of Claims. (Bills list delayed – vouchers available for council review)
- 2) **Resolution #10-2009** – Authorizing the Entry into an Agreement for Municipal Services Pursuant to N.J.S.A. 40:67-23-2 et. Seq. between Riverdale and The Grand Condominium Association, Inc
- 3) **Resolution #11-2009** – McARP membership 2009.
- 4) Payment of bills from Escrow Funds for the following:
  - a. Anderson & Denzler Assoc. D.R. Horton/The Grande       \$ 140.00
  - b. Anderson & Denzler Assoc. TCR-Alexan Riverwalk       \$5,290.00
- 5) Resolution to authorize the following to alternate towing services for Riverdale Borough as needed by the DPW and Riverdale Police Department:
  - a. Malanga's Automotive, Inc. 39 Hamburg Turnpike, Riverdale, NJ (fee paid)
  - b. A to Z Services, 3 Mathews Avenue, Riverdale, NJ (fee paid)
- 6) Approval of 2008 Contribution to the Riverdale Public School in the amount of \$100,000.
- 7) **Resolution #12-2009;** Anderson & Denzler (Wm. Ryden) Professional Agreement for Water and Sewer Engineering Services at an hourly rate of \$146.00.
- 8) **Resolution #13-2009;** Burgis Associates, Inc. Professional Agreement for Planning Services at an hourly rate of \$135.00.
- 9) **Resolution #14-2009;** John L. Kraft, Esq. Professional Agreement for Bond Counsel Services at a minimum rate of \$1,100 for Bond Anticipation Notes and \$110.00 per hour for legal assistance.
- 10) **Resolution #15-2009;** Darmofalski & Associates (Paul Darmofalski) Professional Agreement for Engineering Services for Borough and Planning Board at an hourly rate of \$115.00.
- 11) **Resolution #16-2009;** Richard Clemack, Esq. Professional Agreement for Special Counsel and Tax Appeals at an hourly rate of \$168.00.
- 12) **Resolution #17-2009;** Barbarula & Associates (John Barbarula) Agreement for legal service for Planning/Zoning Board at a yearly retainer of \$12,000 per year paid monthly by voucher and a fee of \$150.00 per resolution and an hourly rate of \$125.00 for litigation.

**RESOLUTIONS (continued):**

- 13) **Resolution #18-2009;** Johnson, Murphy, Hubner (Robert Oostdyk) Professional Agreement for Legal Services at a yearly retainer of \$25,000 to be paid monthly by voucher and an hourly rate of \$140.00 for litigation.
- 14) **Resolution #19-2009;** Transfer of 2008 Appropriation Reserves.
- 15) **Resolution #20-2009;** Emergency Temporary Appropriations.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 8-B, C, D, E, F, G, H, I, J, K, L AND M****OTHER BUSINESS:**

- 1)       LOSAP contribution for 2008 has been determined by the Division of Local Government Services to include a 2.8% increase with a maximum payout of \$1,481.00. Paperwork for the LOSAP program has been received from Lincoln Financial and Mike Norton is working on the individual award to each member of the fire department. The governing body would have to approve the increase by resolution in compliance to Ordinance #15-2007 for the 2008 payout.

Fire Chief Mike Norton stated the total amount with the increase is approximately \$42,000.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to approve a 2.8% increase for the 2008 LOSAP contribution, not to exceed \$45,000.

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

**BOROUGH ATTORNEY REPORT:**

Borough Attorney Oostdyk reported on the traffic light at the Target site. One of the main reasons we have not been willing to activate the light is we will not be able to enforce it because the state has delayed Title 39 approval. The legislature has adopted new laws which remove the DOT from any oversight and it is now totally a municipal issue whether to enforce traffic laws on private property. There are standards that our engineer has to certify are met in terms of traffic safety before we agree to enforce the laws. Our engineer has advised more information is necessary from Target before he can recommend this to us. We shouldn't do anything with Target's request for activation of the light until we're sure we can enforce it.

**COMMITTEE REPORTS:**

Councilman Carelli reported he has completed the application for the HUD grant.

**COMMITTEE REPORTS (continued):**

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

**Resolution No. 21-2008;** Authorizing application for an \$80,000 Community Development Block Grant Application for Final Improvements to the Senior Community Center.

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

**COPY OF RESOLUTION IN FULL ON PAGE NO. 9-N**

Councilman Guis reported that one DPW employee was let go and they'll be interviewing for a replacement.

Councilman Falkoski reported the Municipal Court Report for December 2008. He also reported the County is holding Forum for our Future at the County College of Morris from 6:00 to 8:00 PM on January 29<sup>th</sup>. The purpose is to get communities together to discuss shared services.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**CLOSED SESSION:**

Mayor Budesheim requested a closed session to discuss a contractual matter. The governing body concurred and went into closed session, of which minutes will be kept and released upon completion of these matters.

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

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

**BUDGET DISCUSSION:**

There was a discussion regarding the need to cut \$297,000 from the budget due to the tax levy cap. Councilwoman Wetzel stated that if cutting raises somewhat would help that would be her first suggestion, but that would have to include the police and everybody across the board. Mayor Budesheim stated the agreement we just approved for the Grande will cost \$20,000 to \$25,000 this year that we didn't spend last year. Because of all the snows, Powder Mill and Rock Creek will be getting bigger reimbursements and it's something we have no control over. We could be looking at having to cut more than \$297,000.

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 9:42 p.m.

Respectfully Submitted:

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

**CLOSED SESSION:**

Police Chief Soules was present.

**CONTRACTUAL MATTERS PERTAINING TO POLICE CONTRACT:**

Mayor Budesheim stated the Finance Officer has been working on the budget and we have two caps to work within. One is the 3.5% spending cap and the other is the 4% tax levy cap. We are \$297,000 over the tax levy cap. We could possibly make cuts to bring this down to \$150,000. Councilman Carelli stated the issue is not so much that we don't have the money but that the tax levy can only go up 4%. Non-police salaries were estimated using a 4% increase and for each 1% the impact is only \$12,000. The police have a contract. Mayor Budesheim stated a few months ago he brought up the possibility of a layoff within the police department. It's something we don't want to do, but with facing a minimum \$150,000 cut we need to make a decision soon. With the possibility, the person should be notified immediately so plans can be made. Councilman Falkoski stated with the town continuing to grow and the population doubling, reducing the police department is a safety factor and should be our last resort. We as a Council should go through every line item in every department's budget and justify the need for those items. Mayor Budesheim agreed but stated his point is that if there is no other answer, are we going to be forced into the position of having to lay off a policeman? If we are, I think he should be advised that it's a real possibility. The amount we would save is at least \$60,000 to \$65,000 with benefits. Councilwoman Wetzel stated that would only get us half way to our number and a layoff reflects poorly on us. She suggested everyone across the board make a sacrifice in salary to maintain a policeman. Mayor Budesheim stated he made the police such an offer and it was turned down. He wouldn't expect the other departments to make a sacrifice to keep a patrolman when they're own PBA won't. Councilwoman Wetzel stated the Council needs to be privy to all of the information to make this decision. Chief Soules stated we have good people now with time invested in training. If we lay off now, we'll need to hire people in 2010 to replace retiring officers. Councilman Astarita agreed that we should not lay off a patrolman. Councilwoman Wetzel said she would like to see if the police are willing to sacrifice a little to save that job. It can't be the only ones making the effort are on this side to save a job because the police have a contract as a safety net. Chief Soules stated the police usually stay firm with their contract but we could have a meeting with the department. Councilwoman Bush agreed a layoff should be a last resort, but said she doesn't know how you can ask a contracted employee to give back salary to save somebody else's position. We should go through every line item first and she doesn't feel somebody has to be informed now. Mayor Budesheim stated if there is going to be a layoff the individual should be given enough warning in fairness to him. He had suggested to the police a raise deferment until next year to get us through but they said no. Council concurred that the budget line items should be reviewed before we consider a layoff. Mayor Budesheim stated he would not support giving the other employees a two percent raise when the police department gets four percent. The police department accounts for about 55 percent of all the taxes we raise. If we can't find the cut somewhere else, what are we going to do? Mayor Budesheim suggested we all work on this budget for the next two weeks and see what we can find by the next workshop meeting.

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

Mayor William Budesheim presiding.

**ROLL CALL:**       **Present:**     **Astarita, Bush, Falkoski, Guis, Wetzel, Carelli**  
                           **Absent:**       **None**

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

**PUBLIC PARTICIPATION NO. 1:**

Ron Appel spoke regarding a parking ticket he received. His vehicle was parked on the street for five minutes, there was only ¼" of snow on the road and they didn't plow until seven hours later. He felt it was wrong and that police should warn residents and give them an opportunity to move the vehicle before ticketing. Mayor Budesheim stated that they have had many problems this year with parked cars interfering with plowing.

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

**ALL IN FAVOR.**

**ORDINANCES:**

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

**ORDINANCE 01-2009**

**ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF RIVERDALE AND PROVIDING FOR THE ISSUANCE OF  
PERMITS FOR THE PLACEMENT OF CLOTHING BINS WITHIN THE  
BOROUGH**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED** that Ordinance No. 01-2009 as read on second reading at this meeting, be adopted and finally passed.

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

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

**ORDINANCES (continued):**

2) Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 02-2009****ORDINANCE AMENDING CHAPTER 95 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
AND PROVIDING FEES FOR USE OF POLICE SERVICES BY  
OUTSIDE CONTRACTORS**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 02-2009 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 13-B****RESOLUTIONS:**

Mayor Budesheim explained the reason for adding bus stops along Newark Pompton Turnpike. Councilman Falkoski requested clarification of resolution 25-2009. He also asked for justification for hiring a full time and part time person for the DPW. Mayor Budesheim explained the DPW has been down two people. Councilman Carelli stated that the budget had been reviewed and the new hires will not have a negative impact.

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

- 1) Payment of Claims.
- 2) **Resolution #22-2009;** Emergency Temporary Appropriations.
- 3) **Resolution #23-2009;** Emergency Purchase of salt for roadway icing from Atlantic Salt Company for approximately \$6,000, for 75 tons of salt (+/-).
- 4) Authorization of 1<sup>st</sup> quarter sewer payment to the PRBRSA in the amount of \$164,188.
- 5) Appointment of Barbara Schad as a custodian in the DPW, for 10 hours a week at \$15.00 per hour.
- 6) Appointment of Michael Naser as a full time Utility Person at a rate of pay of \$14.00 per hour.
- 7) **Resolution #24-2009;** Increase Water/Sewer Cash Fund from \$50.00 to \$100.00.
- 8) Authorization of release of remaining escrow funds to FBO Cooper Oil in the amount of \$569.24. The funds are several years old and no longer needed for borough business.

**RESOLUTIONS (continued):**

- 9) **Resolution #25-2009;** Authorize Mayor Budesheim to execute and application for a grant funds in order to conform to the Highlands Master Plan and COAH deadline extension.
- 10) **Resolution #26-2009;** Designating added bus stops along Newark Pompton Turnpike.

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

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 14-C, D, E, F, G AND H****BOROUGH CLERK REPORT:**

Borough Clerk Talerico asked when the lighting and snow plowing payments to the Grande need to be made per the agreement. Councilman Guis stated it would probably be in April. She reported the total amount of the 2008 LOSAP contribution is \$42,513.

**BOROUGH ATTORNEY REPORT:**

Borough Attorney Oostdyk reported on the resolution for approval of the Tilcon Quarry license.

**COMMITTEE REPORTS:**

Councilwoman Bush reported that the Riverdale Municipal Alliance held its first meeting for the year.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:17 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting – January 19, 2009

Workshop Meeting – February 2, 2009

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

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

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**RESOLUTIONS:**

There was a discussion pertaining to the request for Morris County to reacquire the Newark Pompton Turnpike.

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

- 1) Payment of Claims. – Plus following items not on bills list:
 

a. S & L Catering	Adult Crazy Bowl	\$ 777.00
b. Holiday Bowl	Adult Crazy Bowl	\$ 600.00
- 2) Payment of bills from Escrow Funds for the following:
 

a. Anderson & Denzler Assoc.	TCR-Alexan Riverwalk	\$3,434.30
b. Darmofalski Engineering	RER Supply LLC	\$ 345.00
c. Darmofalski Engineering	Target Corporation	\$ 230.00
- 3) Authorization to the Pompton Lakes/Riverdale Little League to use the fields located in Independence Park from March 9 through August 21, 2009 for games and practices. (a certificate of insurance has already been supplied to the Borough Clerk)
- 4) Approval for refund to Gloria Carelli for purchases made for the Negrini family (house fire victims) in the amount of \$237.94.
- 5) Authorize the Mayor to request Morris County to reacquire the Newark Pompton Turnpike.
- 6) **Resolution #27-2009;** Emergency Temporary Appropriations.
- 7) **Resolution #28-2009;** Proposal from Burgis Associates, Inc. as a consultant for the Highlands Plan Conformance Grant in the amount of \$10,000 with additional fees.

**RESOLUTIONS (continued):**

- 8) **Resolution #29-2009;** Professional Agreement for Auditing Services for 2009 with VM Associates, Inc. Vincent Montanino, RMA, Mt. Arlington, NJ. (although the firm name is different this is the same auditor we have had for the past 23 years)
- 9) **Resolution #30-2009;** 2008 Recycling Tonnage Grant.
- 10) **Resolution #31-2009;** Recycling Tax Reimbursement Certification.
- 11) Authorize William Ryden, P.E. Anderson & Denzler to perform water/sewer system mapping and data verification in connection with the Module 1 Build-Out study which is being performed by Burgis Associates, Inc. with a cost not to exceed \$5,000.00.
- 12) Appoint Elmore Spenser III as part time Dispatcher for the Riverdale Police Department.
- 13) Approve the sale of two police vehicles for a total price of \$8,000.00 for both.
- 14) Approve payment not to exceed \$825.00 to Inflatable Amusements Company for unpaid invoice.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 16-A, B, C, D, E, AND F****BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported the Quarry submitted a check for \$10,000 for their license renewal. The ordinance states it should be \$5,000 per year. Borough Attorney Oostdyk advised to return the check and request the proper fee. Clerk Talerico asked who would complete the sewer pump station agreement for the second grant. Mayor Budesheim advised to forward it to the Borough Engineer. She also reported that we received a ballot regarding the Linens-N-Things bankruptcy plan. Borough Attorney Oostdyk advised her to vote in support of the plan.

**MAYOR REPORT:**

Mayor Budesheim reported that we will be able to contract with Butler for our 9-1-1 Dispatching service effective March 1st. The cost is \$1,000 less than Morris County.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to approve entering a shared services agreement with the Borough of Butler for 9-1-1 dispatching services effective March 1, 2009.

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

**COMMITTEE REPORTS:**

Councilman Carelli reported he is working on the preliminary budget and should have some numbers for discussion at the next meeting.

Councilman Guis reported that he will be meeting with the DEP on March 3<sup>rd</sup> regarding the ban on municipal vehicle washing. He has met with the Police Department to discuss a vehicle maintenance program.

**COMMITTEE REPORTS (continued):**

Councilwoman Bush reported the county has sent its 2009 Municipal Alliance Agreement which she will sign and return.

Councilman Astarita reported the CDBG grant presentation is scheduled for March 10<sup>th</sup> at 6:00 p.m.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 7:55 p.m.

Respectfully Submitted:

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

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.

**ALL IN FAVOR.**

**UNFINISHED BUSINESS:**

- 1) Invoice for R. Febbi contractor who performed work on sewer connections on Sky Ball Properties in connection with the Mathews Avenue Road widening project with an original quotation and purchase order in the amount of \$7,000. Per Paul Darmofalski's cover letter additional work was needed and is in accordance with the unit prices originally proposed, which brought the total to \$10,190.00 with a \$3,190.00 difference. The work was all performed during 2008 and will have to be charged to the 2008 sewer budget which carries a balance of \$2,965.76.

There was discussion regarding this matter with Finance Officer Ken Sesholtz. The majority of this work was done in lieu of payment for the Sky Ball Properties in order to complete the Mathews Avenue Road widening project. A total of \$1,450 should be charged to sewer O/E and the balance to the bond ordinance for the project.

**NEW BUSINESS:**

- 1) Proposal from Bruno Associates, Inc. proposing to again supply grant writing services as outlined in the agreement distributed to the Governing Body with a total contract price of \$50,000.

After a brief discussion, Council decided to decline the proposal.

- 2) A letter of request from Debbie Tibbetts, Riverdale Girl Scout Troop 218 leader requesting permission for a project to be performed by the girl scouts to clean up Freedom Park during the dates of April 25<sup>th</sup> and possibly the 26<sup>th</sup>. The scope of the project includes cleaning the brook of all garbage, removing the writing from the slides, repainting the benches, building a sandbox, planting a tree and planting flowers. This project will be part of the troop earning their Bronze award which is the highest award that a junior level Girl Scout can earn.

After a brief discussion, Council approved the project excluding the sandbox. The Girl Scouts also need to check with the Shade Tree Commission regarding the tree.

**MAYOR REPORT:**

Mayor Budesheim reported on the Morris County Freeholders meeting he attended with Councilman Carelli. They are willing to reacquire the Newark Pompton Turnpike, but they cannot maintain the truck ban on a county road. They said they will do what they can to assist us and will send an agreement for plowing Newark Pompton Turnpike, Riverdale Road and Hamburg Turnpike plus provide us with the salt. The Mayor and Councilman Carelli reported on their presentation to the Freeholders regarding an analysis of the tax and ticket money we send to the county in comparison to other towns. Mayor Budesheim also reported on the status of the Target traffic light. There was discussion regarding the connector road and requesting the DOT to reconsider the need for the light. Mayor Budesheim also reported that the homeowners association at the Grande claims they are spending between \$50,000 and \$60,000 per year for garbage collection and the residents want us to enforce our ordinance. Borough Attorney Oostdyk stated they need to pressure D.R. Horton to comply with the site plan. Mayor Budesheim also reported on price quotations received for a key card security system for the Community Center and Firehouse, and smoke and fire detection for other buildings. There was discussion regarding the various needs.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that COAH needs an ordinance from us creating a housing liaison and a resolution for appointment to the position.

**COMMITTEE REPORTS:**

Councilman Falkoski reported the court report for January.

Councilman Guis reported on the condition of the police patrol cars and the plan to replace vehicles. He offered a plan to purchase new Durango SUV's for the Chief and Captain and move their current vehicles into the patrol fleet. He said they could be purchased from capital since they have more than a five year life. Councilman Carelli reported there is only \$43,000 left in the police vehicle and equipment capital account. The cost of each Durango is \$26,168. Councilman Falkoski stated he supports this suggestion if we have the money. Councilman Carelli stated he would rather purchase a new car for patrol. There was Council discussion regarding the matter.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to purchase one Durango from the capital budget at a cost of \$26,168.

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

Councilwoman Bush reported the Municipal Alliance Teen Movie Night will take place on March 19 for sixth through eighth grade.

**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.**

**RESOLUTIONS:**

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

- 1) **Resolution #32-2009;** Cancel Taxes for Block 12 – Lot 1 – 203 Paterson Hamburg Turnpike, LLC due to purchase of property by the Borough of Riverdale.
- 2) Approval of payment to Verizon Wireless in the amount of \$339.58.
- 3) Approval of payment from escrow funds to Darmofalski Engineering Associates, Inc. in the amount of \$345.00 from Alexan at Riverwalk escrow.
- 4) Authorize Mayor Budesheim to endorse a Declaration of Intent to apply for a Morris County Historic Preservation Trust Fund Grant in the amount of \$163,554.00 with a borough match of \$31,710.80 from the open space trust fund.
- 5) **Resolution #33-2009;** Emergency Temporary Appropriations.
- 6) Approve payment of invoice from R. Febbi in the amount of \$10,190.00 for work on sewer connections on Sky Ball Properties. Finance Officer to redistribute \$850 and \$600 to sewer operating expense and the balance to Mathews Avenue Project Bond Ordinance.
- 7) Approve Girl Scout Troop 218 project to clean up Freedom Park on April 25 and 26, minus the sandbox and in consultation with the Shade Tree Commission.
- 8) Authorize a donation of \$300 to the Riverdale Land Conservancy for a clean up day at the Glenburn property on Saturday, March 21 with a rain date of March 22.

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

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 20-A AND B**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 9:07 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting – February 18, 2009  
 Workshop Meeting – March 2, 2009

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

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

**PUBLIC PARTICIPATION NO. 1:**

Steve Loesner invited the Mayor and Council to the Eagle Scout Court of Honor for Mark Knopsnyder to be held April 22 at 6:30 p.m. at the Community Center. This will be the sixth and last Eagle Scout as the Charter expires at the end of the month.

John Lucente and Mr. Sciarra of Munn Avenue spoke regarding the use of the Railroad site for building supplies and asked whether the Railroad is in violation of a court order from Judge Stanton. Mayor Budesheim stated that we are working on the issue with our Borough and Planning Board attorneys and will be meeting with the railroad.

Charles Quant, 31 Fernwood Crescent, asked if the railroad hours could be restricted. He also requested copies of salary records and was instructed by Mayor Budesheim to submit his request during regular business hours.

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

**ALL IN FAVOR.**

**ORDINANCES:**

- 1) Introduction of An Ordinance to Create the Position of Municipal Housing Liaison for the Purpose of Administering the Borough of Riverdale’s Affordable Housing Program Pursuant to the Fair Housing Act. (Highlighted portions of Ordinance to be reviewed and possibly edited)

Borough Clerk Talerico stated that COAH is requiring an ordinance for the position of Municipal Housing Liaison. The administrative powers and duties of the Liaison should be those not delegated specifically to an approved administrative agent. She stated that each developer is supposed to hire their own state certified administrative agent. Borough Attorney Oostdyk stated that we should have the same administrative agent for all of our COAH housing. He will work on an ordinance to be introduced at a later date.

**RESOLUTIONS:**

Councilman Carelli asked for clarification of resolution #35-2009. Borough Clerk Talerico stated this is part of the house stabilization grant.

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

- 1) Payment of Claims. (including following)
 

(a) Mr. Richard Clemack		\$2,426.10
(b) Nitin Chhoda	Exercise Classes	\$2,112.00 maximum
(c) Ildiko Taroczy	Tots Music Class	\$ 283.00
(d) Livia Deak	Instructor of Dance	\$1,906.00
- 2) Payment of bills from Escrow Funds for the following:
  - a. Darmofalski Engineering Alexan at Riverwalk \$4,830.00
- 3) Approval of funding of the Easter Egg Hunt through the Celebration of Public Events Budget not to exceed \$750.00.
- 4) **Resolution #34-2009;** Emergency Temporary Appropriations.
- 5) **Resolution #35-2009;** Approval of Proposal for Architectural Work for the Glenburn House Stabilization in the amount of \$10,987.00 for the design, bidding, and construction observation.
- 6) Authorization of Municipal Clerk to advertise for bids for the Rehabilitation of the Glenburn House and Barn, with bids to be received on April 2, 2009 at 2:00 p.m.
- 7) Approval of an application of a one day liquor license submitted by The Coleen Giblin Foundation, 680 Kinderkamack Road, Oradell, NJ for an event they wish to hold at the Gallery of Bograds 81 Hamburg Turnpike, Riverdale for a fundraiser for the Coleen Giblin Foundation in support of children’s cancer and neuro research. The event is to take place on May 7, 2009 between 6:30 p.m. to 9:30 p.m.
- 8) Approval of release of escrow funds for the sewer hook-up of Dave N. Desai of 22 Cotluss Road, Riverdale. A letter from Sam Dedio, Water/Sewer Clerk verifies that all sewer hook-up fees have been paid and has been connected to the sewer since 2005.
- 9) Approval of April 15, 2009 payment to the PRBRSA for the 2<sup>nd</sup> quarter payment which includes a portion of the 1<sup>st</sup> quarter amount which totals \$217,568.00
- 10) Approval of a permit for placement of a Redbox/DVD rental system at Wal-Mart, 48 Route 23.
- 11) **Resolution #36-2009;** Requesting the NJDOT revise the Highway Access Permit to delete the requirement for a traffic light at the Target intersection with the Home Depot/Staples Site.
- 12) Approve release of inspection escrow funds for Target Corporation with the exception of \$10,000.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 22-A, B, C, AND D**

**UNFINISHED BUSINESS:**

- 1) Establishment of a Cafeteria Plan for the Borough of Riverdale according to IRS Rules for the New Jersey State Health Benefits Plan waiver in lieu of cash. (this item was tabled at two other council meeting in 2008)

**UNFINISHED BUSINESS (continued):**

Mayor Budesheim requested additional information from the Finance Officer on this topic. Further discussion will take place at the workshop meeting.

**MAYOR REPORT:**

Mayor Budesheim reported that we received another \$200,000 grant from the NJDOT for Newark Pompton Turnpike repaving. He also reported on the computer and electronics recycling program in cooperation with Urban Renewal Corp. We will be applying for a grant to establish this as a shared service with other municipalities. The Pompton Lakes/Riverdale Little League parade is scheduled for April 11<sup>th</sup> at 12 noon. The Mayor requested the borough engineer provide a budget for the repaving of the Newark Pompton Turnpike.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that we need authorization for \$5,000 for HMR Architects to nominate the Glenburn House for the National Register of Historic Places.

**COMMITTEE REPORTS:**

Councilman Carelli reported that our state aid certification is minus another \$38,000 this year. The Open Space Trust Fund balance is \$202,534.00 minus the \$10,000 allocated tonight. He reported on the Community Development Grant presentation to Morris County. We ranked 11 out of 18 projects. The school has invited us to a financial presentation on their budget at 6:00 p.m. on March 26<sup>th</sup>. We can start reviewing our budget at the next workshop meeting.

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

Councilwoman Bush reported on two events recently sponsored by the Municipal Alliance. One event was partnering with the school and the other was Teen Night.

**RESOLUTIONS (continued):**

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

- 13) Authorizing HMR Associates to prepare the National Register of Historic Places Nomination for the Glenburn House at a cost of \$5,000.

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

**PUBLIC PARTICIPATION NO. 2:**

Jim Schott and James Lotterman of Munn Avenue, Fran Scott of Arlington Place spoke of their concerns with the use of the railroad property as a storage yard and particularly the height of the piles of brick at the site. Borough Attorney Oostdyk asked the residents to keep a record of their complaints. Mayor Budesheim asked the residents to call the police to keep an official record. He promised the borough will be very proactive on the matter and he will keep the residents informed.

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:30 p.m.

Respectfully Submitted:

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



**NEW BUSINESS (continued):**

Mayor Budesheim stated that he has put out a RFP for an appraiser to assist with about fifty tax appeals.

**MAYOR REPORT:**

Mayor Budesheim stated Mayor Albert Scaletti's daughter has requested the dedication of a street. Mayor Scaletti did shape the character of the town and had a lasting impact. He suggested a dedication sign for each end of Newark Pompton Turnpike where Mayor Scaletti lived to read "Mayor Albert Scaletti Turnpike". There were no objections.

Mayor Budesheim stated that today we ran out of police cars. There were five or six out for repairs or body work and one got a flat tire. Councilman Falkoski stated that we have an opportunity to get the new one painted without charge. Mayor Budesheim stated he is against that. He said it costs \$1,500 to decorate a police car and if we're going to go to white cars we should start now. It costs \$900 for paint and \$600 for decals and that's \$15,000 of unnecessary expenses for ten cars. Councilman Falkoski stated the cars should be marked to be easily identified as police cars and the department should be supplied with the equipment they need to operate. Councilman Guis stated that right now we have someone willing to paint the car at no charge and continue with the uniformity of the last six years. When the next cars come in we can reevaluate the painting. Mayor Budesheim stated that perhaps we should evaluate whether we want to supply traffic details for utilities and other contractors. There is wear and tear on the cars from idling with the lights on and the bulbs are not replaceable. We ran out of cars because two were on traffic detail. Councilwoman Wetzel stated that we should take the opportunity of getting the car painted for free unless this is the beginning of changing the look of the entire fleet. Councilman Guis stated that we need to get the basic equipment installed and make the car usable. Mayor Budesheim stated that there is no need for this car to be used now. There was continued debate regarding whether the car should be painted. Police Chief Soules stated that the car should be painted black and white and that he was leaving the meeting.

Councilman Falkoski set forth the motion, seconded by Councilman Guis, to accept the donation for the Durango to be painted at no charge to maintain the color scheme and keep the decals the same.

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

There was continued discussion regarding the plan for utilization of the vehicles.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that the NJDOT has inquired whether we would do a resolution to support the pre-emptive signal system at the Route 23 and Cotliss Road intersection. Mayor Budesheim stated that there are unresolved issues. Clerk Talerico asked for clarification regarding value engineering. Borough Attorney Oostdyk advised her to discuss the matter with the Borough Engineer. Clerk Talerico reported that we need to indemnify TCR for the fire department to use one of their buildings before it is torn down. Borough Attorney Oostdyk stated the insurance issue needs to be resolved. Clerk Talerico reported that Carmel Canella inquired about the Powder Mill escrow money. She also reported that applications have been received for the showmobile from Holy Name Hospital on May 9<sup>th</sup> and Our Lady of Mount Carmel Church on July 18<sup>th</sup> with a July 19<sup>th</sup> rain date. She reported that nothing has been done on the COAH ordinance. Borough Attorney Oostdyk stated we should wait until the end of the year.

**BOROUGH CLERK REPORT: continued:**

Clerk Talerico inquired about the establishment of a cafeteria plan according to IRS rules. Mayor Budesheim requested additional information. Clerk Talerico stated she paid the approved invoice for DCM Contracting and asked if we are still holding the balance. After a brief discussion it was determined that payment is to be withheld pending receipt of a certified list from subcontractors.

**COMMITTEE REPORTS:**

Councilman Carelli reported that we will be getting trees for the playground in the next two weeks. An Arbor Day celebration will be held at 10:00 a.m. on April 25<sup>th</sup>.

Councilman Guis reported the cost of paving the DPW yard will be \$23,000. The wash station will be approximately \$4,000 in concrete and a few thousand for blocks.

Councilwoman Wetzel invited everyone to attend the egg hunt at the Community Center on Saturday at 10:00 a.m.

**UNFINISHED BUSINESS:**

- 1) Development Fee Ordinance No. 12-2008 – COAH report and resolution approving Riverdale Borough's development fee ordinance with revision. The Borough must file the revised ordinance with COAH within seven days of adoption. In addition, your municipality may not expend any funds until a spending plan has been approved by COAH.

**RESOLUTIONS:**

Councilman Falkoski asked for a report showing grant and borough match money that has been spent on the Glenburn and Community Center projects. Councilman Guis stated that he was unsure we should proceed with resolution 5 since the County objected. Mayor Budesheim stated he did not agree with their assessment.

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

- 1) **Resolution #37-2009;** Granting a Quarry License to Tilcon New York, Inc. for the Years 2009 – 2014.
- 2) Authorization of the hiring of a part time electrical inspector for the Building Department at the rate of \$25.00 per hour, not to exceed 40 hours total and conditioned upon authorization of the Mayor
- 3) **Resolution #38-2009;** Authorize Mayor Budesheim to execute a Morris County Historic Preservation Grant for \$88,979.00 with a borough match of \$20,995.00.
- 4) **Resolution #39-2009;** Cancellation of Tax Title Lien #1-000008 for payment of \$6,329.66 has been received.
- 5) Authorization of the issuance of two purchases orders for the construction of a parking lot at the Glenburn House the first for a total of \$2,560 for four days of bulldozer work and the second to Tilcon for dense graded aggregate in the amount of \$6.50 per ton FOB, not to exceed \$10,000.
- 6) Approval of payment to Key Equipment Finance for copier lease in the amount of \$459.00
- 7) Approval of payment to Treasurer, State of New Jersey for the Riverdale Solid & Medical Waste Transporter Registration Application in the amount of \$216.00.

**RESOLUTIONS (continued):**

- 8) Approval of request from Nicholas Molinaro to widen driveway opening at 38 Cottage Place, contingent on review and recommendations of the Borough Engineer.
- 9) Approval of request from Paul Purcell to widen driveway opening at 35 Riverview Terrace, based on conditions outlined in letter from Borough Engineer dated April 6, 2009.
- 10) Approval of request from PBA to use the borough garage and the park for their annual fishing tournament on May 9, 2009.
- 11) Approval of purchase of dedication signs for Mayor Scaletti.
- 12) Authorizing an indemnification agreement with TCR for the fire department to use one of their buildings for training exercises.

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

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 28-A, B AND C**

Mayor Budesheim reported that people have been smoking outside at the Community Center and it is against state law. The rental agreement states that you will lose the security deposit and we will have to begin enforcing that. Councilman Carelli also suggested a large sign should be posted in the foyer. He also stated that during one event someone was running electrical cables from the electrical panel.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:55 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting – March 16, 2009

Workshop Meeting – April 6, 2009

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

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

**PRESENTATION – DEDICATION OF THE NEWARK POMPTON TURNPIKE  
 IN HONOR OF MAYOR SCALETTI**

Mayor Budesheim announced that Albert Scaletti served as Mayor of Riverdale for fourteen years. He proclaimed Newark Pompton Turnpike be dedicated and be commemoratively known as Mayor Albert Scaletti Turnpike in the Borough of Riverdale. He awarded the proclamation to the family of Mayor Scaletti and announced that a street sign will be erected as a prominent display on Newark Pompton Turnpike to remind the citizens of Riverdale of the esteem and appreciation felt by all for his efforts and accomplishments on behalf of the Borough. Former Councilmen Peter Sarf, John Carelli and John Bisaccio who served with Mayor Scaletti and Former Police Chief Harry Ressler were present for the dedication.

**ORDINANCES:**

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

**ORDINANCE 04-2009**

**AN ORDINANCE TO AMEND CHAPTER 149, ENTITLED  
 “SUBDIVISION OF LAND AND SITE PLAN REVIEW” OF THE  
 CODE OF THE BOROUGH OF RIVERDALE, AND PROVIDING  
 FOR MANDATORY DEVELOPMENT FEES FOR THE  
 AFFORDABLE HOUSING PROGRAM OF THE BOROUGH OF  
 RIVERDALE**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 29-A**

**RESOLUTIONS:**

Councilman Astarita asked for clarification of Resolution #41-2009. Borough Clerk Talerico stated that the applicant received a special ruling and must submit a twelve page application for a new liquor license.

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

- 1) Payment of Claims.
- 2) Payment of bills from Escrow Funds for the following:
 

a. Darmofalski Engineering	Alexan at Riverwalk	\$3,220.00
b. Anderson & Denzler Assoc.	Alexan at Riverwalk	\$ 526.75
c. Anderson & Denzler Assoc.	Alexan-Grande	\$ 115.50
d. Anderson & Denzler Assoc.	Alexan-Riverwalk	\$1,833.35
- 3) **Resolution #40-2009**; Refund of Water Overpayment.
- 4) Approval of payment #8 to DCM Contracting, LLC in the amount of \$47,358.23 leaving a retainage of \$13,352.52. (payment has been approved by Borough Engineer Paul Darmofalski).
- 5) Approval of release of escrow balance to Target for \$108.34.
- 6) **Resolution #41-2009**; Vacating Resolution #74-2008 "Suspending Wes' Tavern Liquor License due to failure to renew on time. (Wes' Tavern received a "Special Ruling" regarding renewal of this license).
- 7) Approval of request from Scott Walker to have his \$200.00 escrow funds released due to no longer wishing to engage the Riverdale Planning Board.
- 8) **Resolution #42-2009**; Honoring Our Troops and "Support Our Troops Day".
- 9) **Resolution #43-2009**; Emergency Temporary Appropriations.
- 10) Authorization of Mayor and Municipal Clerk to execute a "No Further Action Letter and Covenant Not to Sue" for the Remedial Action at 203 Paterson Hamburg Turnpike, Block 12 Lot 1 – Well Permit #2300030527.
- 11) Award of contract for the Rehabilitation of the Glenburn Barn and House to Dell-Tech, Inc., 127 Route 206, Suite 31, Hamilton, NJ 08610 for a base bid of \$246,480.00.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 30-B, C, D, E AND F****OTHER BUSINESS:**

- 1) Possibility of raising the rental fees for the community center to help defray the costs of operating entailed by these functions.

Councilman Guis stated feedback from the DPW Superintendent is that the current \$50 fee does not cover our costs. He suggested a minimum of \$100 would just about cover costs for cleanup, garbage disposal, consumables, heat, air conditioning and utilities. Mayor Budesheim stated the \$50 fee is sufficient to cover the cost of cleanup and did not feel the fee should be increased for the other items. There was a brief discussion and it was agreed to keep the fee at \$50.

- 2) Consideration of the installation of 4 additional street lights.

**OTHER BUSINESS (continued):**

Mayor Budesheim stated he would have to enter into a contract with JCP&L to install an additional streetlight at the end of Cotluss Road at Newark Pompton Turnpike, one halfway down on Cotluss Road and two on Dalton Drive.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, to authorize the Mayor to enter into a contract with JCP&L for installation of 4 additional street lights.

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

- 3)     Discussion regarding traffic detail for the fire department.

Mayor Budesheim stated he would like to postpone discussion as Councilman Falkoski is absent. He stated that studies have shown idling destroys cars and he would like to review the policy of providing this kind of service.

- 4)     Consideration of installing fire and access security systems in municipal buildings.

Mayor Budesheim stated that there currently are no fire or smoke alarms in the municipal building or next door and the Fire Department has been asking for a new system. We are also looking at security access for the Fire Department and Community Center. Councilman Guis stated that in order to get competitive prices we need to specify our requirements.

**BOROUGH ATTORNEY REPORT:**

Borough Attorney Oostdyk reported that Target has agreed to abandon the traffic light in response to the resolution we adopted. They sent us an agreement stating the light will be left blinking yellow unless they present us with a report showing there is a safety concern that warrants turning the light back on. Another provision is that we agree to release their bonding after they post a maintenance bond.

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

**Resolution #44-2009;** Authorizing the execution of a Traffic Light Agreement between the Borough of Riverdale and Target Corporation.

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

**COPY OF RESOLUTION IN FULL ON PAGE NO. 31-G****COMMITTEE REPORTS:**

Councilman Carelli reported that we will have a finance presentation at a special meeting on May 20<sup>th</sup> or 27<sup>th</sup>.

Councilman Guis reported on the borough roads and sidewalks. Mead, Haycock, Arlington, Parkway and Parkway Entrance are in severe need of sidewalks and curbs. A rough estimate for the repair is \$277,000. There is a new system called Micro Surfacing,

**COMMITTEE REPORTS (continued):**

a polymer reinforced seal coating that they claim will add seven to ten years life on the pavement. The estimate for this product in the same area is approximately \$38,000. The Borough Engineer has done research which shows favorable results on this product and his recommendation is to give it a try. The Stoneleigh area is in need of \$25,000 to \$30,000 of repairs. Councilman Guis stated the some of the sidewalks are in extreme need of repair and should not be ignored. There was discussion regarding the means to get the sidewalks repaired. Councilman Guis also reported on options for a washing station for the borough vehicles.

Councilwoman Wetzel reported on the egg hunt at the Community Center.

Councilman Astarita reported on the Community Development Block Grant meeting. There is stimulus money that will be available to the grants so there is a slight chance that our application will get some funding. He also reported that the Fire Chief has asked if there are funds available to replace the kitchen cabinetry at the firehouse that is falling apart. There was discussion regarding repair of the cabinets.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:30 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

**ALL IN FAVOR.**

**OTHER BUSINESS:**

A letter from Joseph Musumeci, Majestic Home Developers, L.L.C. requesting the release of his \$10,000 bond remaining in Riverdale's escrow account, due to the completion of the Enclave project. Letter sent to Paul Darmofalski and he recommends non-release due to the falling rock situation that exists at that site. (copy of letters distributed to Mayor and Council)

There was discussion regarding ownership of the wall and that no one is taking responsibility for maintaining it. Borough Attorney Oostdyk agreed with the Borough Engineer's recommendation to not release the bond at this time.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that the Morris County DPW requested a written agreement with us for the purpose of enabling Riverdale to perform road openings or excavations on county roads. She also reported that Mrs. Canella has requested the Borough pay Powder Mill's bills directly from their escrow money. Council denied the request.

**MAYOR REPORT:**

Mayor Budesheim distributed printouts on the proposed budget. He stated we will probably introduce the budget on June 1<sup>st</sup>.

**COMMITTEE REPORTS:**

Councilman Carelli reported the Fire Department received a check for reimbursement of money they spent in 2008.

Councilman Falkoski reported that Convenience 23 recently received two summonses for serving minors. He suggested we may want to take some action on their liquor license. He reported the court report for the month of March. He distributed a list of comparable rates charged by neighboring municipalities for police traffic and security services. Some outside contractors have been obtaining these services elsewhere and he suggested we lower our rates to be more competitive in order to maintain this revenue. There was discussion regarding the matter. Councilman Astarita stated that at the last meeting we discussed the detrimental effects that idling may have on the vehicles. Councilman Falkoski stated that Chrysler is sending us a written statement explaining that idling

**COMMITTEE REPORTS (continued):**

causes no measurable wear on the motor. The patrolmen are also experimenting with running the lights on batteries. Mayor Budesheim stated that he has observed the county and other towns providing traffic control without using vehicles. After further discussion it was decided to amend the ordinance and decrease the hourly rates and charge an additional fee for the use of a police vehicle.

**ORDINANCES:**

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

**ORDINANCE 05-2009**

**ORDINANCE AMENDING CHAPTER 95 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
AND PROVIDING FEES FOR USE OF POLICE SERVICES BY  
OUTSIDE CONTRACTORS**

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

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

Councilman Guis reported that the Newark Pompton Turnpike project must be awarded by July 1st in order to obtain the \$400,000 grant. The Borough Engineer's estimate for the project is \$414,000. The grant will cover milling out 3 inches, applying micro surfacing to seal the cracks, and 3 inches of asphalt the entire length of Newark Pompton Turnpike from the Hamburg Turnpike to Riverdale Road. This will be done through the Co-op and only the \$14,000 engineering fees are not covered by the grant. He also reported on plans for paving the DPW yard and installing the washing station.

Councilwoman Wetzel reported on the status of finding a new director for the summer recreation program.

Councilwoman Bush reported the Riverdale Municipal Alliance will sponsor two events in May sponsored 80% through grant money. May 18<sup>th</sup> is a senior luncheon with a speaker and May 19th is a Moving Up event for eighth graders.

**RESOLUTIONS:**

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

- 1) **Resolution #45-2009;** Emergency Temporary Appropriations.
- 2) Approval of payment to New York Mets – Recreation trip, Wednesday June 24, 2009 in the amount of \$1,125.00.
- 3) **Resolution #46-2009;** Adoption of Identity Theft Policy. (copy of sample policy distributed to Mayor & Council)
- 4) Authorize Mayor and Clerk to execute the Community Development Block Grant Program Grant Agreement for the Sewer Pump Station for \$80,000.
- 5) **Resolution #47-2009;** Authorizing execution of an agreement between the Borough of Riverdale and the County of Morris for road openings or excavations within the municipality.

**RESOLUTIONS (continued):**

- 6) Authorizing the Borough Engineer to obtain quotations from the Morris County Co-op for the Newark Pompton Turnpike paving project. Estimated cost of project is \$400,000 plus \$14,000 engineering fees.

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

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 35- 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.

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:25 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting – April 20, 2009

Workshop Meeting – May 4, 2009

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

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

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**HEARING BEFORE THE GOVERNING BODY TO DETERMINE THE  
 SUSPENSION OF CONVENIENCE LIQUORS 23 DUE TO VIOLATIONS  
 ASCERTAINED BY THE RIVERDALE POLICE DEPARTMENT.**

The hearing was adjourned until June 1<sup>st</sup> at the request of the license holder.

**ORDINANCES:**

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

**ORDINANCE 04-2009**

**AN ORDINANCE TO AMEND CHAPTER 149, ENTITLED  
 “SUBDIVISION OF LAND AND SITE PLAN REVIEW” OF THE  
 CODE OF THE BOROUGH OF RIVERDALE, AND PROVIDING  
 FOR MANDATORY DEVELOPMENT FEES FOR THE  
 AFFORDABLE HOUSING PROGRAM OF THE BOROUGH OF  
 RIVERDALE**

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

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

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

**ALL IN FAVOR**

**ORDINANCES (continued):**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 04-2009 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 37-A**

2)     Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 05-2009**

**ORDINANCE AMENDING CHAPTER 95 OF THE REVISED**  
**GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE**  
**AND PROVIDING FEES FOR USE OF POLICE SERVICES BY**  
**OUTSIDE CONTRACTORS**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 05-2009 as read on second reading at this meeting, be adopted and finally passed.

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

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

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

**ORDINANCE 06-2009**

**AN ORDINANCE AMENDING THE REVISED GENERAL**  
**ORDINANCES OF THE BOROUGH OF RIVERDALE AND**  
**REVISING THE FEE FOR A CERTIFICATE OF CONTINUED**  
**OCCUPANCY FOR COMMERCIAL, INDUSTRIAL, AND**  
**RESIDENTIAL PREMISES**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 37-C**

**RESOLUTIONS:**

Mayor Budesheim reported on price quotations received for a fire alarm system for the Municipal Building, Records Building (Mario's) and the Firehouse and a card access system for the Firehouse and Community Center.

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

- 1) Payment of Claims.
  - a) Kathy Dejesus - Yoga Instructor - \$ 295.00
  - b) Livia Deak - Exercise Instructor/Hips on Fire - \$ 549.00
  - c) Nitin Chohoda - Exercise Instructor/Boot Camp - \$1,160.00
  - d) Jessica Cullari - Art Class Instructor - \$ 300.00
  - e) Fran Raftery - Bagpiper/Memorial Day Parade - \$ 300.00
  - f) Ian Gallagher - Performer/Memorial Day Parade - \$ 400.00
  - g) Apollo Flag Co. - Supplies/Parade - up to \$ 300.00
- 2) Payment of bills from Escrow Funds for the following:
  - a. Darmofalski Engineering Alexan at Riverwalk \$3,335.00
  - b. Darmofalski Engineering Molinaro \$ 50.00
  - c. Richard J. Clemack, Esq. TCR/Alexan Riverwalk \$ 738.15
  - d. Anderson & Denzler Rock Creek Crossing \$ 160.40
  - e. Anderson & Denzler Alexan Riverwalk \$7,598.70
- 3) Approval of Engineering Proposal from Darmofalski Engineering Associates, for the Newark-Pompton Turnpike paving project for the following amounts:
  - a) Engineering items - \$14,000.00
  - b) Inspection items - \$ 3,000.00
- 4) **Resolution #48-2009;** Emergency Temporary Appropriations.
- 5) Payment to Darmofalski Engineering for preparatory work on the NPT paving project in the amount of \$1,495.00 to be applied to the NPT proposal.
- 6) **Resolution #49-2009;** Opposition to a Proposed Diversion of Funds from the Emergency Medical Technician Training Fund. (sample resolution sent to Mayor and Council)
- 7) Approve purchase of Fire Detection System for the Municipal Building, Records Building (Mario's), and Firehouse from Advanced Integration Security at a total cost of less than \$29,000.
- 8) Approve purchase of Card Access Systems from Advanced Integration Security at a cost of \$3878.88 for the firehouse and at a cost of \$4515.25 for the Community Center.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 38-D, E AND F****OTHER BUSINESS:**

- 1) A request from Gus Trujillo, 360 Union Avenue, Clifton, NJ, to use the borough's soccer fields for Sundays – 8 a.m. to 12 p.m. for 2 to 3 months, and would like to start as soon as possible.

Mayor Budesheim stated that other towns charge a fee for use of their fields, especially soccer fields which quickly get destroyed. The Riverdale-Pompton Lakes Soccer Association provides field maintenance. Borough Attorney Oostdyk stated that we could charge a fee for special uses but we need an ordinance and the fee must be uniform. We

**OTHER BUSINESS (continued):**

could have a uniform charge and also consider an agreement for in kind service in lieu of payment.

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

**ORDINANCE 07-2009**

**ORDINANCE AMENDING CHAPTER 95 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
AND PROVIDING FOR FEES TO BE CHARGED FOR USE OF  
THE SOCCER FIELD**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 39-G**

- 2) Information from Bicycle Touring Club of North Jersey advising of their yearly “Ramapo Rally” to take place on Sunday August 16, 2009. Some or all of the 800+ participants will ride through Riverdale between the hours of 7 a.m. and 5:30 PM. Requesting information on major roadwork, or local events that will conflict with this date. (copy distributed to Chief Soules and Walt Mahon, DPW Superintendent)

**COMMITTEE REPORTS:**

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

Councilwoman Bush reported on the Municipal Alliance Senior event that was held today and the Moving Up event for eight graders that will be held tomorrow.

Mayor Budesheim reported that our Community Development Block Grant application was reopened. There are new rules for compliance with the stimulus bill.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:00 p.m.

Respectfully Submitted:

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

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

Mr. Gary Shaw of Cablevision presented a check to the borough for \$812 in recognition of subscriber growth in accordance with the franchise agreement.

**HEARING BEFORE THE GOVERNING BODY TO DETERMINE THE  
SUSPENSION OF CONVENIENCE LIQUORS 23 DUE TO VIOLATIONS  
ASCERTAINED BY THE RIVERDALE POLICE DEPARTMENT.**

Borough Attorney Oostdyk announced the issue of the hearing would be held in executive session to discuss a proposed settlement of resolution.

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**ORDINANCES:**

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

**ORDINANCE 07-2009**

**ORDINANCE AMENDING CHAPTER 95 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
AND PROVIDING FOR FEES TO BE CHARGED FOR USE OF  
THE SOCCER FIELD**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, **RESOLVED** that Ordinance No. 07-2009 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 41-A**

**ORDINANCES (continued):**

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

**ORDINANCE 08-2009****ORDINANCE TO EXCEED THE MUNICIPAL APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 42-B****RESOLUTIONS:**

Councilman Falkoski asked for clarification of resolution #51-2009. Mayor Budesheim stated the ABC is considering this a new license due to the time lapse in the renewal and to enable the licensee to retain the license. Councilman Guis recommended approval of the Borough Engineer's budget for preparation of plans for the wash station and preparation of applications for the NJDOT grants.

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

- 1) Approval of payment of a \$50.00 deposit for recreation trip Wednesday, July 22<sup>nd</sup> to Monster Mini Golf.
- 2) Approval of Right to Know Training/Inventory for all municipal buildings in the amount of \$2,000.
- 3) **Resolution #50-2009;** Release of Target Off-Site Performance Bond No. 104763179 in the amount of \$70,956.00 according to statutory procedures upon Target's posting of a maintenance bond as stated in the Traffic Signal Agreement.
- 4) Approval of hiring of temporary summer help for the DPW Department – Jarred Bush – at \$10.00 per hour.
- 5) **Resolution #51-2009;** Approval of the issuance of a new liquor license for the 2008-2009 license term pursuant to N.J.S.A. 33:1-12.18 "Special Ruling" determined by the Office of the Attorney General – Department of Law and Public Safety, Division of Alcoholic Beverage Control.
- 6) Approval of award of proposal to Jan Fence for fencing to enclose the Rock Creek water tank and telemetry building at a total amount of \$12,840.00.
- 7) **Resolution #52-2009;** Emergency Temporary Appropriations.
- 8) Approval to establish a Trust Fund for Community Center clean up fees.
- 9) Approval of transfer of 2006 United Trailer VIN#48BTE12166A079676 to Jefferson Township. This trailer was given to the Borough by Morris County for the CERT team.
- 10) Resolution supporting Sgt. Greg Bogert in his efforts to persuade the NJDOT to pursue a solution to the problems concerning the Route 23 traffic light.
- 11) Approval of Borough Engineer Paul Darmofalkski's engineering budget amount of \$1,000 for preparation of Wash Station plans.
- 12) Authorizing the Borough Engineer to prepare NJDOT grant applications for paving, milling curbs in the amount of \$452,000 and for sidewalks in the amount of \$222,000 for Mead Avenue, Haycock Avenue and Arlington Place.

**RESOLUTIONS (continued):**

**ROLL CALL:**       **Ayes:**    **Bush, Falkoski, Guis, Wetzel, Carelli**  
                           **Nays:**     **None**  
                           **Abstain:** **Bush (resolution No. 4 only)**  
                           **(5 ayes – 0 nays – motion carried)**

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 43-C, D AND E****INTRODUCTION OF 2009 MUNICIPAL BUDGET**

Councilman Carelli set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED**, for the introduction of the 2009 Municipal Budget.

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

Public Hearing and Adoption scheduled for July 6, 2009 at 7:30 p.m. To be published in the Suburban Trends Newspaper on Wednesday, June 17, 2009.

**COPY OF 2009 MUNICIPAL BUDGET IN FULL ON PAGE NO. 43-F****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.**

**CLOSED SESSION:**

Borough Attorney Oostdyk requested a closed session to discuss a matter of potential litigation. The governing body concurred and went into closed session, of which minutes will be kept and released upon completion of these matters.

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

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

Borough Attorney Oostdyk stated that in closed session the council discussed the issue of the suspension of the liquor license of Convenience Liquors due to violations for serving minors. The Council was in agreement with the license holder's acceptance of a 30 day suspension of their license and it will be voted on formally at the next meeting.

Councilman Falkoski stated he will distribute copies to the Council of an ordinance for an entertainment license to be discussed at the next meeting.

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:10 p.m.

Respectfully Submitted:

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

**CLOSED SESSION:**

Also present were Police Chief Soules and Detective Barone.

**HEARING BEFORE THE GOVERNING BODY TO DETERMINE THE  
SUSPENSION OF CONVENIENCE LIQUORS 23 DUE TO VIOLATIONS  
ASCERTAINED BY THE RIVERDALE POLICE DEPARTMENT.**

Borough Attorney Oostdyk reviewed the violations for serving minors at Convenience Liquors 23 and the discussion at the meeting that was held with the owner and the Police Department. He advised the council that the license holder wanted to pay a fine instead of license suspension, but that is not permitted. They agreed to a 30 day suspension of their liquor license which must occur during 2009. This is not appealable. Detective Barone stated that Convenience Liquors is taking steps to remedy the situation such as purchasing a scanning device for licenses used for identification. Borough Attorney Oostdyk recommended conditions be placed on the renewal of their liquor license. Council was in agreement with the proposal of the 30 day suspension and a resolution will be prepared for the next meeting.

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

Mayor Budesheim presiding.

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

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting – May 18, 2009  
 Workshop Meeting – June 1, 2009

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

**ROLL CALL:**       **Ayes:**     **Astarita, Bush, Falkoski, Guis, Wetzel**  
                           **Nays:**     **None**  
                           **Abstain:** **Astarita (June 1<sup>st</sup> only)**  
                           **(5 ayes – 0 nays – motion carried)**

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**ORDINANCES:**

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

**ORDINANCE 06-2009**

**AN ORDINANCE AMENDING THE REVISED GENERAL  
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND  
 REVISING THE FEE FOR A CERTIFICATE OF CONTINUED  
 OCCUPANCY FOR COMMERCIAL, INDUSTRIAL, AND  
 RESIDENTIAL PREMISES**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, **RESOLVED** that Ordinance No. 06-2009 as read on second reading at this meeting, be adopted and finally passed.

**ORDINANCES (continued):**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 47-A**

2)     Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 08-2009**

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

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 08-2009 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 47-B**

**RESOLUTIONS:**

Mayor Budesheim reported on the condition of the stairs at the library front entrance and the need to extend the roof and move the pillars. Two price quotations have been obtained for the project.

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

- 1)     Payment of Claims.
  - a)   The FunPlex   -     Summer Rec/Deposit for July 8<sup>th</sup>     \$ 240.00
  - b)   Ildiko T.       -     Instructor/Tot’s Music Class         \$ 343.00
  - c)   Anne Gould   -     Party/Toddler Play Group             \$ 23.02
  - d)   Nitin Chohoda-   Instructor/Boot Camp                 \$1,200.00
  - e)   Nancy Courtney Instructor/Kickboxing                 \$ 500.00 max
  - f)   Dynamite Falls- Summer Rec/Deposit for July 9<sup>th</sup>     \$ 400.00
  - g)   Krista Osborne- Instructor/Cheerleading Program       \$ 287.00
  - h)   Maria Hall     -     Refund/Cancelled Basketball Clinic   \$ 65.00
  - i)   June Carelli   -     Petty Cash Fund                        \$ 99.77
  - j)   Laura Everett   -     Refund/Cancelled Tennis Program     \$ 70.00
  - k)   Steve Max! Inc   Sumer Rec/Simon Sez Show            \$ 750.00
  - l)   Symone Negrini   Refund/Cancelled Tennis Program     \$ 70.00
  - m)   Marilen Marcelo Refund/Cancelled Tennis Program     \$ 70.00

**RESOLUTIONS (continued):**

- |    |                    |                                    |           |
|----|--------------------|------------------------------------|-----------|
| n) | Lisa Johnson -     | Refund/Cancelled Tennis Program    | \$ 70.00  |
| o) | Sonia Tacinelli    | Refund/Cancelled Basketball Clinic | \$ 65.00  |
| p) | Home Field Advant. | Sporting Goods – Basketballs       | \$ 48.00  |
| q) | Key Equipment      | Lease/Savin Copier                 | \$ 459.00 |
- 2) Payments from Escrow Accounts as follows:
 

a)	Darmofalski Engineering	Alexan at Riverwalk	\$9,304.00
b)	Darmofalski Engineering	Target Corporation	\$4,058.00
c)	Darmofalski Engineering	TCR/Horton	\$ 260.00
e)	Johnson, Murphy, Hubner	Alexan at Riverwalk	\$ 280.00
  - 3) **Resolution #53-2009;** Emergency Temporary Appropriations.
  - 4) **Resolution #54-2009;** Imposing a Thirty (30) Day License Suspension on Liquor License No. 1433-44-004-007 (Convenience Liquors 23, Inc.)
  - 5) **Resolution #55-2009;** Renewal of 2009/2010 Liquor Licenses with conditions.
  - 6) **Resolution #56-2009;** Approval of submittal of a Municipal Aid Grant Application & Agreement for Arlington Place, Haycock Avenue and Mead Avenue Improvement Project in the amount of \$275,000.
  - 7) **Resolution #57-2009;** Approval of submittal of a Municipal Aid Grant Application & Agreement for Sidewalk Improvements to Arlington Place, Haycock Avenue, and Mead Avenue in the amount of \$200,000.
  - 8) Approval to repair library stairs with limestone and bluestone and extend the roof over the stairs at a total cost of \$28,840.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 48-C, D, E, F, G AND H****NEW BUSINESS:**

- 1) Discussion of Photo Shoot at Glenburn Estate.

Mayor Budesheim announced that Loehmann's Department store has scheduled an advertising photo shoot at the Glenburn Estate this Wednesday and Thursday. Loehmann's donated \$500 to the Riverdale Land Conservancy and will provide a certificate of insurance.

Thereupon, Councilwoman Bush set forth the motion, seconded by Councilwoman Wetzel, to approve Loehmann's Department Store photo shoot at Glenburn on June 17<sup>th</sup> and 18<sup>th</sup>, 2009.

**ALL IN FAVOR.****BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that correspondence was received regarding Title 39 at Riverdale Square. Borough Attorney Oostdyk stated he is aware of the situation and our experience has shown the state is not going to process any Title 39 applications. It was a condition of their approval and we should recognize that they met that condition in preparing the application. If the police department feels there's a need for enforcement, we'll need to do a local ordinance. Clerk Talerico reminded the Council that the deadline for the Red Flag Rule is August 1<sup>st</sup>. Borough Attorney Oostdyk stated this pertains to preventing identity theft in connection with utility billing and recommended we wait until

**BOROUGH CLERK REPORT (continued):**

July. Clerk Talerico reported that we need to establish the position of Municipal Housing Liaison by ordinance for COAH.

**COMMITTEE REPORTS:**

Councilman Falkoski reported the court report for the month of May. He also distributed copies of a sample entertainment ordinance for review by the Council.

Borough Attorney Oostdyk stated that the Convenience Liquors 23 liquor license should be approved with added conditions.

Thereupon, Councilwoman Bush set forth the motion, seconded by Councilwoman Wetzel, to amend Resolution #55-2009 to add conditions to Convenience Liquors 23, Inc. liquor license and to approve the following resolution:

- 9) **Resolution #58-2009;** Renewal of Convenience Liquors 23, Inc. 2009/2010 Liquor License with conditions.

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

**COPY OF RESOLUTION IN FULL ON PAGE NO. 49-I**

Councilwoman Wetzel reported registration for the summer recreation program is down quite a bit this year. Information for the summer concerts is available on the website.

Mayor Budesheim reported the farmers market will begin tomorrow.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:01 p.m.

Respectfully Submitted:

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



**RESOLUTIONS (continued):**

budget. Councilman Falkoski stated that this proposes less of a percentage for the police chief than the members of the department and does not seem fair. It cost the borough \$32,381 for medical benefits for some of our part time elected officials. He proposed we introduce an ordinance to permit part time elected officials to receive medical benefits only if they pay the premium. Councilman Astarita stated he would second that. Borough Attorney Oostdyk stated that because we are in the State Health Benefits Plan we need to check what this entails. He will report back by the next meeting. Councilman Falkoski proposed the employee salary increase be four percent. He said nothing is accomplished by making it three percent and our work force are all worthy of the same consideration for salary increase and benefits.

Mayor Budesheim stated the points made are valid. We have among the lowest paid employees in the public sector. When surrounding towns give a 3 percent increase it is more in dollars than our 4 percent raise. A lot of our people are wearing many hats and we're saving considerable amounts of money. The money is available in the budget with a zero tax increase so I don't see where giving 3 percent is productive.

DPW Superintendent Walt Mahon stated his department has the best crew he's ever had and they and the other departments go above and beyond. There's no reason this group of people should be treated less than the police officers or the library staff.

Terri Pelligrini asked why we need to check with the State regarding the elimination of paid health benefits for council members. Borough Attorney Oostdyk stated that we have to work through our insurance carrier to modify our plan. There was a time when with the State Health Benefits Plan you had to offer insurance coverage to elected officials. There have been some changes but we have to look at it. Councilman Astarita stated that we started the process in October but it's taking a while for people to secure other insurance. He said he has been paying for his own company benefits since January, however the paperwork to get out of our system is on hold and in the review process. Councilwoman Wetzel stated that she was taking benefits temporarily but resigned them through the Clerk as of January. She did not know if the paperwork went through. Ms. Pelligrini asked why a 3 percent increase was being proposed if it was budgeted for 4 percent. Councilwoman Bush stated she believed 4 percent was a cap amount. She said that council members agreed it was a fair number considering the economy. She thought the savings would provide a cushion for things throughout the year. Councilman Astarita stated the private sector is giving 0 to 2 percent raises. Our employees do a wonderful job and it comes strictly from an economic point of view. Councilwoman Wetzel agreed that everyone does a great job but it was presented to the council that there was a range and due to the economy many people are not getting raises.

DPW Superintendent Mahon asked why the school is getting over 4 percent and the library 3.5 percent. Councilwoman Wetzel stated that the school and police salaries are contractual. Councilman Carelli stated the library has an autonomous board and is given a lump sum to do with as they want. He said the 3 percent is not a reflection of job performance. We're responsible to the employees and the taxpayers and the intent was to send a message to the residents that we are trying to show some fiscal restraint. Councilwoman Wetzel stated this decision reflects on the council because we have to answer to everyone in town. The fact that you're getting 3 percent should be a great thing under the circumstances. The economy could get worse and we should have a cushion.

Mayor Budesheim stated that traditionally the employees always got the same increase as the police and they got 4 percent this year. That's why it was put in the budget so it's not unreasonable for them to expect we would continue with this unwritten tradition. People complain about the salaries, the number of police cars, fire trucks and some people

**RESOLUTIONS (continued):**

complain about everything all the time. Riverdale has always had among the lowest salaries. We've done our best for the residents with a zero tax increase and top rated services. An extra 1 percent for our employees who are comparatively underpaid is not something for our residents to complain about. There's more cushion in the budget than \$11,000 and we're not looking to hire any additional people this year.

Sam Dedio asked to hear from Councilman Guis on the matter. Councilman Guis stated 3 percent was a consensus in response to the economy and the concern of the residents. It's not a reflection on the work of the employees. Some people are getting nothing in private industry. Some of our salaries are low and I'd like to try to work on bringing them up at such a time as we can. Mr. Dedio asked if Councilman Guis was receiving health benefits and are we paying over \$14,000 a year for them. Councilman Guis stated he is but is also returning his salary to the borough.

Police Chief Soules stated that the police and some members of the library staff received 4 percent, the teachers get what they negotiated and the employees should get the 4 that is in the budget.

Councilman Falkoski stated that private sector salaries are a lot higher and a private company's income is based on the economy today. We're not in that same situation. The additional 1 percent is in the budget and it's not going to affect the tax rate. By not giving it, we get a lot of bad feelings from the employees and we're not doing any good at all by doing this. Mayor Budesheim stated that private sector also gives bonuses and stock options when they're doing well and we can't compare private sector when it benefits our argument. He said he can understand the appearance of trying to cut back but the residents aren't going to enjoy this symbolic gesture. Councilman Carelli stated that we know the salaries aren't comparable to other towns and effort has been made to change that. Councilwoman Wetzel stated that if everyone wants to further discuss the matter that we could table it and come up with another solution. Mayor Budesheim asked the council to weigh the facts and make a decision.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to approve the following resolution and that it reflect a four percent increase in the salaries listed, subject to the adoption of Ordinance No. 9-2009:

3) **Resolution #59-2009;** Municipal Employees Salaries 2009.

**ROLL CALL:**       **Ayes:     Astarita, Bush, Falkoski, Guis, Wetzel, Carelli**  
                           **Nays:     0**  
                           **(6 ayes – 0 nays – motion carried)**

**COPY OF RESOLUTION IN FULL ON PAGE NO. 52-B**

Councilman Astarita asked as a Point of Order if there was a motion made and seconded with regard to health benefits for elected officials. Borough Attorney Oostdyk stated that we need to first determine how to implement that.

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

- 1) Approval of payment of a \$185.00 to Gloria Carelli for expenses paid for items needed for the food pantry that will be charged to the donations to the food pantry trust fund.
- 2) Approval of release of unused escrow funds to Glenn Foss, Advanced Sports Medicine in the amount of \$37.50.

**RESOLUTIONS (continued):**

- 3) Removed (see above).
- 4) **Resolution #60-2009;** Professional Service Agreement for professional real estate appraisal – Certified Valuations, Inc. at a rate of \$145.00 per hour for all services.
- 5) Approval of \$100,000 payment to the Board of Education towards the \$1,000,000 commitment made by the Governing Body.
- 6) Approval of payment of Petty Cash refund to June Carelli for Recreation for receipts totaling \$97.41.
- 7) Approval of payment to Advanced Integration Security LLC in the total amount of \$4,515.25, pending the Mayor's verification that the Access Control System at the Senior Community Center is installed and performing satisfactorily.

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

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 53-C****OTHER BUSINESS:**

- 1) Minimum working hours of borough men for weekend delivery and pick up of the showmobile rented by out of town entities that will be charged for the time at \$80.00 per hour for a minimum of 6 hours per day.

Mayor Budesheim stated that this policy should be formalized.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, that minimum working hours of borough men for weekend delivery and pick up of the showmobile rented by out of town entities that will be charged for the time at \$80.00 per hour, be a minimum of 6 hours per day.

**ALL IN FAVOR.****PUBLIC HEARING OF 2009 MUNICIPAL BUDGET**

Mayor Budesheim announced that the state has not reviewed the budget and therefore it cannot be adopted this evening. He then announced the meeting was open to the public for comments on the budget.

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

**ALL IN FAVOR.**

Mayor Budesheim announced the Adoption of the 2009 Municipal Budget is scheduled for July 20, 2009 at 7:30 p.m.

**MAYOR REPORT:**

Mayor Budesheim stated that we would like to establish a quarterly payment schedule for the library.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, to establish a quarterly payment schedule for the library.

**ALL IN FAVOR.**

Mayor Budesheim reported on the dangers of illegal fireworks.

**COMMITTEE REPORTS:**

Councilwoman Wetzel reported that Summer Rec is underway and going well and the Summer Concerts begin next week.

Councilwoman Bush reported the Municipal Alliance will receive \$6,443 for the year 2010.

**PUBLIC PARTICIPATION NO. 2:**

Nancy Salazar, Newberry Place, spoke regarding an ongoing problem she and her neighbors are having with brown water. She brought samples and asked if it could be tested and if anything could be done. DPW Superintendent Mahon stated the coloration is iron and manganese which is a typical characteristic of well water and it is drinkable. The problem will be worse on a dead end street. We do not filter the water and do a main flushing twice a year. The water is tested frequently and meets every state and federal standard. We cannot send an individual bottle for testing. Several council members stated they have also had problems and purchased filters.

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

**ALL IN FAVOR.****ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:44 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting – June 15, 2009  
Workshop Meeting – July 6, 2009

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

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

**PROCLAMATION – TURN THE TOWNS TEAL CAMPAIGN THROUGH THE KALEIDOSCOPE OF HOPE, THE ATLANTIC HEALTH SYSTEM AND THE NATIONAL OVARIAN CANCER COALITION-NORTHERN NJ PARTNERING TO PROMOTE AWARENESS OF OVARIAN CANCER AND DECLARING SEPTEMBER AS OVARIAN CANCER AWARENESS MONTH IN THE BOROUGH OF RIVERDALE AND AUTHORIZING THE TYING OF TEAL RIBBONS ALONG THE NEWARK POMPTON TURNPIKE**

**COPY OF PROCLAMATION IN FULL ON PAGE NO. 55-A**

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**ORDINANCES:**

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

**ORDINANCE 09-2009**

**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 Guis, to close the public session.

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

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 09-2009 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 56-B****ADOPTION OF 2009 MUNICIPAL BUDGET**

Councilman Carelli set forth the motion, seconded by Councilman Guis, for the Adoption of the 2009 Municipal Budget.

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

**COPY OF 2009 MUNICIPAL BUDGET IN FULL ON PAGE NO. 56-C****PUBLIC HEARING OF SOIL MOVEMENT APPLICATION FOR YASSIN ABUROMI 36 WILSON AVENUE – BLOCK 37 – LOT 9**

Reginald Jenkins, Esq. spoke on behalf of the applicant. Mr. Aburomi is requesting to import soil to grade and improve his property. Mr. Mark Palif, Engineer/Planner is also present to respond to questions. Borough Attorney Oostdyk swore in Mr. Aburomi and Mr. Palif. Mr. Aburomi gave an overview of the proposed project and the need to import the soil. Mr. Palif provided his qualifications and reviewed the plan in detail for the Council. He stated the 1,000 cubic yards of soil to be imported is approximately 60 truckloads. With proper engineering and design of the retaining wall this project should be without issue. Everything proposed is subject to review and approval of the Borough Engineer. There will be no negative impact on the property or the municipality in general. The improvements will allow the property owner to increase the utilization of his property for residential purposes. Mayor Budesheim asked about the time period to truck in the soil. Mr. Palif stated it would depend on the contractor but you could viably run 8 trucks a day. Councilman Falkoski stated the applicant would need a variance for slope disturbance. Mayor Budesheim opened the hearing for comments from the public.

Joan Garcia, 46 Wilson Avenue, stated that the applicant has consistently violated everything he's been allowed to do. She asked who will monitor the trucks to prevent the same problems they have had in the past. They violate hours of operation and far too much dirt is brought in and placed where it is not supposed to be. The neighbors are concerned with noise, wear on the road and dust. Mr. Jenkins stated Mr. Aburomi will be subject to all local ordinances and the regular police powers of the municipality. Mr. Aburomi is here is to be sure what is being done is done correctly with the knowledge and approval of the municipality in a way that is acceptable to all parties. Borough Attorney Oostdyk stated the public comment is asking the council what they can do to assure whatever rules are implemented as part of this approval are enforced. Part of the application is to determine how to protect the roads, traffic and neighborhoods while the soil movement is taking place.

**PUBLIC HEARING OF SOIL MOVEMENT APPLICATION (continued):**

Melissa Harsley, 52 Wilson Avenue, stated her concerns include continuous truckloads of dirt that have already come in, drainage on and off the premises, where the soil is coming from, slope stability, dust, noise and especially road damage. Wilson Avenue has not been paved since 1983. There was a discussion regarding the applicant's asphalt driveway which was recently replaced with pavers and whether a permit was required. Mayor Budesheim stated that the roads in this community were not designed to handle the kind of truck traffic required for the amount of work Mr. Aburomi has been doing on his property.

Brad Clinton, 41 Wilson Avenue, stated that there has been a habit of this homeowner understating what he is doing. The dust created from cutting the pavers was all day long and the trucks have come all days and all hours. He asked who is going to count the trucks.

Borough Attorney Oostdyk clarified that tonight's hearing is strictly for the soil movement for the creation of the yard play area.

Joseph Petracca, 116 Highland Avenue, attempted to discuss property borders. Mr. Jenkins objected and stated that property borders are outside the scope of this application. Mr. Petracca stated that this application has created drawings that are inaccurate. Borough Attorney Oostdyk stated that we accept for the record that Mr. Petracca disagrees with the details shown on the drawing submitted. Mr. Petracca stated he is not objecting to the soil.

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

**ALL IN FAVOR.**

Council discussed conditions and an escrow requirement. The matter will be further discussed with the Borough Engineer. Continuation of the application is scheduled for the next regular meeting on August 17, 2009.

**RESOLUTIONS:**

Mayor Budesheim reported on changes to the Garbage/Recycling bid contract specifications.

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

- 1) Payment of Claims.
  - a) June Carelli - Petty Cash Fund/Recreation - \$ 98.31
- 2) Payments from Escrow Accounts as follows:
  - a) Darmofalski Engineering Alexan at Riverwalk \$8,284.00
  - b) Darmofalski Engineering Target Corporation \$4,210.00
  - c) Darmofalski Engineering TCR/Horton \$8,420.00
  - d) Anderson & Denzler Alexan Riverwalk \$3,004.25
  - e) Anderson & Denzler Alexan-Grande \$ 655.95
  - f) Darmofalski Engineering Riverdale Square \$ 575.00
  - g) Anderson & Denzler D.R Horton-Grande \$ 77.00
  - h) Anderson & Denzler Alexan at Riverwalk \$2,776.45
- 3) **Resolution #61-2009;** Governing Body acceptance of the Passaic River Coalition's acquisition of Block 36.01, Lot 14 in Riverdale as a charitable conservancy requesting funding from Morris County Open Space Trust Fund.

**RESOLUTIONS (continued):**

- 4) **Resolution #62-2009;** Support of an Amendment to the Open Public Records Act.
- 5) **Resolution #63-2009;** Renewal of 2009/2010 Liquor Licenses for Wes' Tavern to be held as a Pocket License until the establishment is re-opened.
- 6) **Resolution #64-2009;** Governing Body authorizing submission of the 2010 application for the Municipal Alliance grant in the amount of \$6,443, and acknowledging terms and conditions for the administration of the grant.
- 7) Approval of purchase of a Wausau Snow Plow for the Unimog in the amount of \$15,775 to be charged to the Capital Budget for the DPW. (funds are available)
- 8) Removal of a portable generator – tag number 000431 – to be declared as scrap because it is no longer functional.
- 9) **Resolution #65-2009;** Special Item of Revenue and Appropriation - Chapter 159 – Bulletproof Vest Program, \$4,729.92.
- 10) **Resolution #66-2009;** Special Item of Revenue and Appropriation – Chapter 159 – County of Morris – Historic Preservation Trust Fund – Glenburn House Project Grant - \$88,979.00.
- 11) **Resolution #67-2009;** Cancellation of 2009 Current Fund Appropriation.
- 12) Approval of the purchase of a new “jaws of life” for the fire department from Firefighter One, Sparta, NJ for a total cost of \$20,200.
- 13) **Resolution #68-2009;** Professional Agreement, Holt Morgan Russell Architects for the 2009 Morris County Historic Preservation Trust Fund Grant which has been awarded by Morris County and funds placed into 2009 Municipal Budget.
- 14) **Resolution #69-2009;** Approval of Dispatching Agreement with the Borough of Butler for a total amount of \$8,000 for the year 2009 and to continue at the same rate for a total of a 5 year period.
- 15) Authorizing the Borough Clerk to advertise for bids for Garbage/Recycling contract.
- 16) Authorizing purchase of a smoke detection and alarm system from Pop-A-Lock for the Municipal Building at a cost of \$1,960 plus \$500 and Mario's Building at a cost of \$1,095 for a total of \$3,555.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 58- D, E, F, G, H, I, J, K, L AND M****MAYOR REPORT:**

Mayor Budesheim reported that the Paterson Hamburg Turnpike will be completely closed beginning 9:00 a.m. August 17<sup>th</sup> through 6:00 p.m. August 20<sup>th</sup> due to the installation of gates for the railroad crossing near the quarry.

**COMMITTEE REPORTS:**

Councilman Guis reported on the Hamburg Turnpike sewer extension. We need an ordinance to purchase easement from property at 29 Morris Avenue.

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

**ORDINANCE 10-2009**

**ORDINANCE ACCEPTING THE CONVEYANCE OF A SEWER  
PUMP STATION EASEMENT FROM TERI MATES**

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

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

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

- 17) Approval of Change Work Order for the Hamburg Turnpike Sewer Project, not to exceed \$7,500.

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

**OTHER BUSINESS:**

- 1) Consideration of Introduction of an Ordinance Amending Chapter 75 of the Revised General ordinances of the Borough of Riverdale entitled “Amusements and Entertainment”. This Ordinance was discussed at a previous council meeting.

Discussion was postponed until the next workshop meeting.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 9:25 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**OTHER BUSINESS:**

- 1) Sewer Pump Station Easement – 29 Morris Avenue – Block 10 Lot 15.01 as summarized by Borough Engineer in letter to homeowner Ms. Teri Mates. Copy of letter distributed to Mayor and Council with Agenda.

Council discussed the improvements proposed for this property as compensation for a sewer easement. Councilman Carelli asked whether the Engineer has established a dollar amount for the value of the work. Councilman Guis explained that in order to put a number value you need appraisals which take time and cost money.

- 2) Consideration of “Amusement and Entertainment” ordinance as requested by Councilman Joseph Falkoski. Copy of ordinance distributed to Mayor and Council with Agenda.

Councilman Falkoski stated the purpose of this ordinance is to gain more control as a local body over establishments that serve liquor and provide entertainment and cause a nuisance problem. There was discussion regarding particulars of the sample ordinance. Councilman Guis stated the ordinance is too subjective. Consensus of the Council was to pursue refining the ordinance.

- 3) Consideration of pay for Fire Administrator Pat Cleary – now receiving a stipend of \$2500 per year.

Mayor Budesheim stated he was unclear as to the extent of administrative work being done by the Fire Administrator. Councilman Falkoski will look into the matter.

- 4) Robert Michaels, Planner for the Borough’s COAH recertification and the Highlands Act for which the Governing Body passed a resolution submitting a “Notice of Intent” to the Highlands Council to conform to the Regional Master Plan with regard to the Highlands Act. Mr. Michaels is looking for further input on this decision. The council had set a target date of December 8, 2009 as the target date for submission of a Petition for Plan Conformance. Copy of resolution distributed to the Mayor and Council with Agenda.

Consensus of the Council was for the Planner to pursue the matter with the intent that Riverdale will not opt for the Highlands Act.

**CORRESPONDENCE:**

- 1) Notification from the Borough of Bloomingdale regarding the public hearing and adoption of their Ordinance #8-2009 amending the zoning ordinance of the Borough of Bloomingdale and advising of a public hearing date of August 18, 2009 at 7:30 p.m. (copy of document in Borough Clerk's office for review)

Mayor Budesheim will send a letter stating our position is that the steep slopes and environmental concerns should be adhered to.

**MAYOR REPORT:**

Mayor Budesheim reminded everyone that the Hamburg Turnpike will be shut down completely from 9 a.m. August 17<sup>th</sup> through 6 p.m. August 20<sup>th</sup>. He also reported the tax bills were mailed today and the increase is .4 of one point. The street lights have been turned on at Cotliss Road and Dalton Drive.

**COMMITTEE REPORTS:**

Councilman Falkoski stated that Riverdale Square had agreed to install video cameras when they got their approval for renovations. He reported hearing they are now claiming they don't have to install the cameras since Dexter's has moved out. Councilman Falkoski reported on the deteriorated condition of Aqueduct Road particularly when it rains. Councilman Guis stated that we plan to spread millings when they become available. It is a private road; however, the precedent has been set for 15 or 20 years that we have been helping to maintain it. When the home sells we should advise the new owner that we will not maintain the private road.

Councilwoman Wetzel reported the make-up date for the cancelled concert will be 2:00 p.m. on Sunday, September 6<sup>th</sup> which is the same date as the Street Fair.

**RESOLUTIONS:**

Councilman Falkoski stated that the next lowest rate for part-time dispatchers in this area is \$14.15 per hour. After a brief discussion, it was decided to increase the pay rate for part-time dispatchers to \$13.00 per hour to be competitive.

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

- 1) **Resolution #70-2009;** Chapter 159 – Over the Limit Under Arrest – 2009 in the amount of \$6,000.00.
- 2) **Resolution #71-2009;** Supporting the Over the Limit Under Arrest 2009 Statewide Crackdown, with regard to alcohol related fatalities.
- 3) Approval of the purchase of 200 – T-10 Neptune water meters at a cost of \$228.00 each for a total cost of \$45,600.00 to be purchased under Morris County Co-op contract #47 – Category B – Item 6A held by Rio Supply, Inc.
- 4) Approval of \$1.00 increase in pay to Shawn Mowla for completion of probationary period.
- 5) Approval of increase in Part Time dispatchers pay to \$13.00 per hour from the current rate of \$11.50 per hour.
- 6) Payment approval to SuperSonic DJ's for teen dance event in the amount of \$250.00.

**RESOLUTIONS (continued):**

**ROLL CALL:**       **Ayes:**    Astarita, Falkoski, Guis, Wetzel, Carelli  
                          **Nays:**     None  
                          **Abstain:** Guis (resolution No. 4 only)  
                          (5 ayes – 0 nays – motion carried)

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 62-A AND 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 Councilman Guis, to adjourn the meeting.

**ALL IN FAVOR.**

Adjourned: 8:25 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

**ROLL CALL:**       **Present:**     **Astarita, Bush, Falkoski, Guis, Wetzl, Carelli**  
                           **Absent:**       **None**

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting – July 20, 2009  
 Workshop Meeting – August 3, 2009

Approval of minutes was tabled until the next meeting.

**PUBLIC PARTICIPATION NO. 1:**

Mrs. Hook, 4 Hamburg Turnpike, inquired about the timeframe to connect to the sewer line. Her septic system needs to be replaced and she would like to avoid that expense as the property is for sale. Mayor Budesheim explained that the sewer authority will not allow us to connect to the system until the inflow and infiltration problem is resolved. We are moving forward and introducing an ordinance tonight allowing a property easement required for the sewer pumping station. Councilman Guis explained how a holding tank could be a temporary option.

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

**ALL IN FAVOR.**

**UNFINISHED BUSINESS:**

- 1) Continuation of the public hearing on the soil movement application of Yassin Aburomi, 36 Wilson Avenue East.

**PUBLIC HEARING OF SOIL MOVEMENT APPLICATION FOR YASSIN ABUROMI 36 WILSON AVENUE – BLOCK 37 – LOT 9**

Reginald Jenkins, Esq. spoke on behalf of the applicant. He stated that at the previous hearing they had concluded their direct testimony and his understanding is that this evening there will be discussion of the conditions to be placed on the application if approved. They have no objection to the Borough Engineer's report dated August 13<sup>th</sup> that specifies oversight and the requirement for escrow. Mayor Budesheim stated the concerns brought out by the residents were the number of trucks and the effect on the pavement and the wetlands. Mr. Aburomi stated that not every truck in the neighborhood is bringing fill to his house.

Melissa Harsley, 52 Wilson Avenue, asked where the macadam from the torn out driveway is. She stated that since the last time we were here there has been a truck at the property every day. Mr. Aburomi says he will stop but he tells you one thing and does another. He's doing things that may not be legal. He's filling in wetlands and who is stopping it? The road is in bad condition and you are opening the town up to liability. There is nobody to monitor what he is doing or check that the drainage he put in is proper.

**PUBLIC HEARING OF SOIL MOVEMENT APPLICATION (continued):**

Valerie Russinko, 40 Wilson Avenue, stated that she has seen a minimum of four trucks since the last meeting and the dirt is dumped where he is filling in. To say he hasn't had any dirt trucked in since our last meeting is an absolute lie.

Mayor Budesheim asked Mr. Aburomi where the macadam is. He stated that it is piled on his property to accumulate to be transported and he has receipts for what he has dumped.

Mr. Jenkins stated that the driveway did not require separate permitting. He also stated that the main point he's hearing is the concern that things are going on unfettered and without review. One of things stipulated and acknowledged is that the proposed request for soil is going to be subject to the review and close scrutiny of the Borough Engineer. There will be escrow put in the application's approval for just that. The DEP issues are already under the review of the DEP and not affected by what is being proposed here. If there are violations they are to be enforced subject to the town police powers. Mrs. Harlsey stated she is concerned with the aquifer. Mr. Jenkins stated that the concerns are being addressed. Mrs. Harsley presented photos of trucks on Wilson Avenue. Mr. Jenkins objected. Councilman Falkoski stated the permit application and letter from the Borough Engineer specifies the amount of soil to be moved onto the site. If permission is granted by the Council, we can list that as a condition of approval. For anything beyond that, they would have to apply for another permit. Mrs. Harsley stated that if he gets approval to bring in 1000 cubic yards of dirt, he could bring in 4000 cubic yards of mulch and there is nobody to monitor what is coming in the trucks. There is nothing in the ordinance that regulates mulch. Unless the Borough Engineer is there daily it can't be done. Mr. Aburomi stated he would repair any damage to the road caused by this project.

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

**ALL IN FAVOR.**

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

Approval of the soil movement permit application from Yassin Aburomi, 36 Wilson Avenue East, contingent upon recommendations specified by Borough Engineer Paul Darmofalski in his letter dated August 13, 2009, and that any additional permits required by the Soil Conservation District and the Zoning Board of Adjustment be obtained.

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

Mayor Budesheim requested the Borough Engineer be given receipts for the removed macadam and copies of any correspondence from the DEP regarding the wetlands. He also asked Mr. Aburomi to notify the Zoning Officer when he is expecting any truck deliveries so we can verify the delivery and allay the fears of the residents.

**ORDINANCES:**

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

**ORDINANCE 10-2009****ORDINANCE ACCEPTING THE CONVEYANCE OF A SEWER  
PUMP STATION EASEMENT FROM TERI MATES**

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

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

There was Council discussion regarding Ordinance 11-2009 and whether it would accomplish resolving the type of problems experienced in the past.

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

**ORDINANCE 11-2009****ORDINANCE AMENDING CHAPTER 75 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
ENTITLED "ENTERTAINMENT"**

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

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

There was Council discussion regarding whether to introduce an ordinance amending the fees charged for certain development applications. Review of the fees was requested by the Zoning Officer. Consensus of the Council was not to amend the fees.

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

**ORDINANCE 12-2009****ORDINANCE AMENDING CHAPTER 164 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 65-C****MAYOR REPORT:**

Mayor Budesheim suggested we should consider purchasing defibrillators for some of our buildings and increase the fee for rental of the Community Center by \$20 to help pay for them. Council agreed with the suggestion. Mayor Budesheim also reported on the work at Glenburn. The electric work for the barn was not covered by the grants. The bid amount was \$8,000 and is available in the Open Space Trust Fund. Councilman Guis did not agree with using money from the Trust Fund. He said the concept of Glenburn was to use grant money to refurbish the property. Councilwoman Wetzel stated that without

**MAYOR REPORT (continued):**

electricity the building is not functional. Mayor Budesheim reported that he invited the ten independent gubernatorial candidates to a candidates' night in October. He also reported there is a shortfall in one of the recreation trust funds from last year. Councilwoman Wetzel will try to get verification on the issue.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that the Fire Inspector did not received a pay increase and had asked if it was an oversight. It was determined that the Fire Inspector and the Assistant to the Tax Assessor should have received a salary increase.

**COMMITTEE REPORTS:**

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

Councilwoman Wetzel reported on the summer concert series. Raffle ticket sales were disappointing and we should consider funding upfront if we continue the concerts in the future. The street fair will be Sunday, September 6<sup>th</sup>.

**RESOLUTIONS:**

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

- 1) Payment of Claims, including the following:
  - a. Payment to Gloria Carelli for items purchased to replenish the food pantry from the Trust Account. \$143.87 for groceries from Path Mark and \$171.18 for shelving for groceries from BJ's.
- 2) Payments from Escrow Accounts as follows:
 

a) Darmofalski Engineering	Alexan at Riverwalk	\$7,923.00
b) Darmofalski Engineering	Target Corporation	\$1,255.00
c) Darmofalski Engineering	DR Horton-Grande	\$5,690.00
d) Darmofalski Engineering	Riverside Square	\$ 460.00
e) Anderson & Denzler	DR Horton-Grande	\$3,010.35
f) Anderson & Denzler	Alexan at Riverwalk	\$ 420.00
- 3) **Resolution #72-2009;** Declaration of Governing Body of their review of the 2008 Annual Audit specifically the section entitled "General Comments & Recommendations as evidenced in the group affidavit form.
- 4) **Resolution #73-2009;** Refund of Tax Overpayments.
- 5) Acceptance of a 2000 Chevy Van from the Riverdale Board of Education, which that board has established they no longer have use for the vehicle, for the price of \$1.00.
- 6) Approval of payment to Eagle Land Construction, LLC for completion of the Library project in the mount of \$28,840.00.
- 7) Approval of payment for 2008/2009 snow removal for the following:
 

1) Rock Creek Crossing	-	\$3,868.85
2) Powder Mill	-	\$1,934.42
3) The Grande	-	\$5,319.67
- 8) Approval of purchase of four defibrillators for borough buildings at a cost not to exceed \$2,000 total, and to increase rental charge for the Community Center by \$20.00.
- 9) Approval of Electric work at the Glenburn Barn at a cost of \$8,000 from the Open Space Trust Fund.
- 10) **Resolution #74-2009;** Municipal Employees Salaries 2009.

**RESOLUTIONS (continued):**

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 67- D, E, F, AND G****OTHER BUSINESS:**

- 1) Request of use of Freedom Park and the softball field by Camfil Farr, Inc. for their yearly picnic to be held on Friday September 4, 2009, during the hours of 12:00 pm to 5:00 pm. (a certificate of insurance has already been submitted)

Councilwoman Wetzel will confirm that the field is available.

- 2) Letter to Governing Body and Borough Attorney Robert Oostdyk regarding Performance Escrow Agreement dated February, 2004, between Rock Creek Crossing, LLC (“RCC”) and Johnson, Murphy, Hubner, McKeon, Wubbenhorst & Appelt, P.C.) (“Escrow Agent”). (copy of letter forwarded with agenda to Mayor and Council)

Borough Attorney Oostdyk will follow up with the Borough Engineer regarding the matter.

**CLOSED SESSION:**

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

**ALL IN FAVOR.**

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

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

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 9:24 p.m.

Respectfully Submitted:

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

**CLOSED SESSION:****LITIGATION PERTAINING TO NEW YORK, SUSQUEHANNA AND WESTERN RAILWAY:**

Borough Attorney Oostdyk updated the Council on the litigation with the railroad. The borough was served an order to show cause in a lawsuit from the railroad pertaining to the application they filed before the Planning Board for approval to restart their activities. The Planning Board said they had serious doubts about the railroad's position that they were legally entitled to do this. The Planning Board's recommendation was that the borough obtain a decision from the Federal Highway Transportation Board concerning their exemption. The proposed activity was essentially a brick distribution operation. Prior to filing a petition seeking a determination from the Federal Government, the applicant filed a lawsuit seeking a court order stating they are entitled to do exactly what they want to do with the brick business and preventing Riverdale from interfering. The application before the Planning Board had involved the brick company as the co-applicant who would operate the facility. Now they've changed that. There's a new agreement dated just days before they filed their court action which has the railroad operating the brick business themselves. Now the railroad is going to be in the brick distribution business as part of its railroad activity and they may hire such subcontractors as they choose under the agreement. They have an agreement with the brick company that they will work for the railroad. Research into the federal cases has made it fairly clear that as presented to the Planning Board, the Planning Board was right; they were not presenting an exempt activity. Further, it is pretty clear they knew they were not presenting a compliant application so when it came time to go to court they knew they had to change it. The fact that the railroad changed their application tells us that they know full well that the Planning Board was right. They likely preferred not to do it this way because they have liability now. Our position in court is going to be that they went before the Planning Board with a different application. At a minimum they have to tell the Planning Board the truth and put this application on the record before the residents and the board before we go any further. We will continue with the filing with the federal agency for a determination whether this is really an exempt activity. We also learned that this same brick company was doing almost the same operation in New York. They were challenged by the municipality and went to the federal agency and lost. Now it makes us question the new arrangement.

**LITIGATION PERTAINING TO NJDEP VS. NOVARTIS VS. BOROUGH OF RIVERDALE, et al. v.**

Borough Attorney Oostdyk reported on correspondence received from NJIIF stating they are not covering us on this case because it didn't occur during a time we had insurance with them. The hope is we have insurance coverage and we just have to find it.

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

Mayor William Budesheim presiding.

**ROLL CALL:**       **Present:**     **Astarita, Bush, Falkoski, Guis, Wetzel, Carelli**  
                           **Absent:**       **None**

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting – July 20, 2009  
 Workshop Meeting – August 3, 2009

Councilman Guis noted the following correction to the minutes of July 20<sup>th</sup>. Resolution No. 16 authorizing purchase of a smoke detection and alarm system should not include the pump house.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to approve the July 20, 2009 minutes as corrected and the August 3, 2009 minutes as read.

**ROLL CALL:**       **Ayes:**     **Astarita, Bush, Falkoski, Guis, Wetzel, Carelli**  
                           **Nays:**     **None**  
                           **Abstain:** **Bush (August 3rd only)**  
                           **(6 ayes – 0 nays – motion carried)**

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**ORDINANCES:**

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

**ORDINANCE 10-2009**

**ORDINANCE ACCEPTING THE CONVEYANCE OF A SEWER  
 PUMP STATION EASEMENT FROM TERI MATES**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 10-2009 as read on second reading at this meeting, be adopted and finally passed.

**ORDINANCES (continued):**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 70-A**

2)      Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 11-2009**

**ORDINANCE AMENDING CHAPTER 75 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
ENTITLED “ENTERTAINMENT”**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Falkoski, **RESOLVED** that Ordinance No. 11-2009 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 70-B**

3)      Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 12-2009**

**ORDINANCE AMENDING CHAPTER 164 OF THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 12-2009 as read on second reading at this meeting, be adopted and finally passed.

**ORDINANCES (continued):**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 71-C****RESOLUTIONS:**

Councilwoman Wetzel asked for clarification of resolution No. 83-2009. Councilman Guis explained the resolution.

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

- 1)    **Resolution #75-2009;** Chapter 159 –Volunteer Fire Assistance Grant \$4,112.31.
- 2)    **Resolution #76-2009;** Chapter 159 – Donation – Police o/e - \$3,058.00.
- 3)    **Resolution #77-2009;** Chapter 159 – Municipal Court alcohol Education, Rehabilitation and Enforcement Fund - \$1,531.51.
- 4)    **Resolution #78-2009;** Refund of Tax Overpayment – Stewart \$1,090.28.
- 5)    **Resolution #79-2009;** Refund of Tax Overpayment – County Tax Appeal – Verizon - \$2,272.11.
- 6)    **Resolution #80-2009;** Cancel Taxes – Block 12 – Lot 1 – 203 Paterson Hamburg Turnpike, LLC – Property transferred to Borough of Riverdale - \$1095.34.
- 7)    **Resolution #81-2009;** Authorizing Duplication of Tax Sale Certificate #1-06 – Block 18 Lot 11.01 – 14 Post Lane.
- 8)    **Resolution #82-2009;** Authorizing Duplication of Tax Sale Certificate #1-99 – Block 18 – Lot 11.01 – 14 Post Lane.
- 9)    **Resolution #83-2009;** Authorization of the removal of Arlington Place from the 2008 and 2009 DOT Grant in order to construct improvements on the Paterson Hamburg Turnpike, with the engineer’s estimate for the modified project of \$100,000.00.
- 10)    Approval of issuance of a check in the amount of \$1,500.00 to the Riverdale Volunteer Fire Department for their attendance at the 2009 Fireman’s Convention.
- 11)    Approval of the sale and removal of the following equipment by the Riverdale Fire Department, and declared as surplus items of the Borough of Riverdale.
 

a) 26/60 Super Ram with Standard Control	b) Ram Attachment w/bag
c) Ram Right Attachment Base	c) Model 18 Rescue Tool
d) A55/32 Spreader Cutter	e) Phoenix Power Unit
f) Phoenix High Flow 12 volt Power Unit	g) 25/60 Super Ram
h) 14/26 Super Ram	i) 100’ Hose w/Chrome Reel
j) Two 50’ Extension Hoses	k) Phoenix C/C Cutter
l) Phoenix R50 Ram	m) Hydraulic Hand Pump
- 12)    Approval of the following Change Orders for the Glenburn Project: Change Order #1, in the amount of \$33,984.00 for additional work on the Glenburn House; Change Order #2, in the amount of \$34,000 for additional work on the Glenburn Barn, and Change Order #3, in the amount of \$8,000 for electrical work at the Glenburn Barn. Change Orders #1 & 2 are being funded through the 2009 Morris County Historic Preservation Grant and Change Order #3 is an alternate that was part of the 2008 Morris County Historic Preservation Grant.
- 13)    Approval of payment in the amount of \$1,978.00 for Building Department Training Fees.

**RESOLUTIONS (continued):**

- 14) Appoint Jordan Pellegrini as a Part-Time Police Dispatcher for the Riverdale Police Department at a salary of \$13.00 per hour.

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

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 72-D, E, F, G, H, I, J, K AND L****CORRESPONDENCE:**

- 1) Letter from Patricia A. Lee of Connell Foley LLP, representing Target Corporation requesting the release of Target's Performance bond No. 104763180 in the amount of \$392,018.00, due to the completion of the construction by Target of the service road. A maintenance bond in the amount of \$54,447.00 has been submitted which has been calculated as 15% of the construction estimate for the off-site work per Exhibit B of the Target-Riverdale Developers Agreement, \$362,980.00.

Mayor Budesheim requested a letter from the Borough Engineer be obtained confirming that construction is complete prior to release of the bond.

- 2) From Borough Engineer Paul Darmofalski, recommending award of the contract for Resurfacing of the Newark Pompton Turnpike and both alternates, in the combined total amount of \$381,162.63 to the lowest bidder, English Paving Co., Inc.

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

- 15) **Resolution No. 84-2009;** Award of contract for 2009 Resurfacing of the Newark Pompton Turnpike, including Paterson Hamburg Turnpike Resurfacing and DPW Yard Paving, to English Paving Co., Inc., 650 Route 46 West, Clifton, NJ 07013 for a total bid of \$381,162.63.

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

**MAYOR REPORT:**

Mayor Budesheim asked if we could have an independent committee handle all recreational programs to eliminate the bookkeeping involved with individual trust funds. There was a discussion regarding governmental and non-governmental options. It was decided to explore how other towns handle recreation programs and whether there is software to alleviate the record keeping.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico asked if everyone is able to access their borough email accounts. Several Council members are having trouble but all agreed to keep the borough email accounts for borough business. Clerk Talerico reported that Electrical Inspector Anthony Gallo was hired to earn up to \$1,000 maximum and will exceed that amount with the next payroll. Mayor Budesheim stated that he needs to continue. It was decided to increase

**BOROUGH CLERK REPORT (continued):**

the limit to \$2,000 through the end of this year. Clerk Talerico reported that notice was received from Labor and Workforce Development regarding prevailing wage reporting. Any project exceeding \$14,187.00 must submit prevailing wage reports and she will request them from the contractors.

**BOROUGH ATTORNEY REPORT:**

Borough Attorney Oostdyk reported on a second lawsuit from the New York, Susquehanna and Western Railroad. This lawsuit was filed against us and DCM Contracting for unpaid additional expenses for the easement granted in connection with the Hamburg Turnpike Sewer Project. Mayor Budesheim stated this amount was not paid due to the railroad not providing us a markout of the utilities and whatever was in the railroad bed. We subsequently came across things they were not aware of which cost an additional \$9,000 in labor and material. They also owe us \$5,000 in escrow for the Planning Board. Borough Attorney Oostdyk stated that we need to accumulate the counter claims in order to respond to their suit. The lawsuit with the Planning Board will be returnable this Wednesday and we anticipate we can have a hearing in about three months.

**COMMITTEE REPORTS:**

Councilwoman Wetzel reported on the Street Fair. The weather and turnout was good and she is very happy with JC Promotions and the help from the DPW crew. She also reported on the recreation budget and modifications that may need to be made regarding items for the Community Center.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:25 p.m.

Respectfully Submitted:

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



**ORDINANCES (continued):****ORDINANCE 06-2009****ORDINANCE AMENDING THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF RIVERDALE AND  
REVISING THE FEE FOR A CERTIFICATE OF CONTINUED  
OCCUPANCY FOR COMMERCIAL, INDUSTRIAL, AND  
RESIDENTIAL PREMISES**

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

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

Borough Attorney Oostdyk stated that we expect to get the filing fee in resolution No. 5 refunded.

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

- 1) Payment of Claims.
- 2) Payments from Escrow Accounts as follows:
 

a) Darmofalski Engineering	Alexan at Riverwalk	\$10,104.00
b) Darmofalski Engineering	Target Corporation	\$ 230.00
c) Darmofalski Engineering	DR Horton-Grande	\$ 1,914.00
d) Darmofalski Engineering	Riverdale Square	\$ 920.00
- 3) Approval of Payment #4 to Dell-Tech, Inc. for the Rehabilitation of Glenburn Barn & House in the amount of \$117,192.60.
- 4) **Resolution No. 85-2009;** Refund of Tax Overpayment, Block 29 Lot 23 – Columbia Bank - \$16,629.00.
- 5) Approval of check issuance for a \$1,400 filing fee for the New York Susquehanna Complaint for the Surface Transportation Board.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 75 - B AND  
C****MAYOR REPORT:**

Mayor Budesheim reported that our mechanic has determined the van donated by the school is not worth repairing.

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

- 6) Declare the 2000 Chevy Van donated by the Riverdale Board of Education as surplus.

**ALL IN FAVOR.**

**MAYOR REPORT (continued):**

Mayor Budesheim also reported that DPW employees asked if we would consider reimbursement for gym membership since we offer it to the police. Borough Attorney Oostdyk stated that if we consider this for DPW it should be for all employees.

**BOROUGH CLERK REPORT:**

**COMMITTEE REPORTS:**

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

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:18 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

**ROLL CALL:**       **Present:**    **Astarita, Bush, Falkoski, Guis, Wetzels, Carelli**  
                           **Absent:**       **None**

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

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**ORDINANCES:**

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

**ORDINANCE 6-2009**

**ORDINANCE AMENDING THE REVISED GENERAL  
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND  
 REVISING THE FEE FOR A CERTIFICATE OF CONTINUED  
 OCCUPANCY FOR COMMERCIAL, INDUSTRIAL, AND  
 RESIDENTIAL PREMISES**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Falkoski, **RESOLVED** that Ordinance No. 6-2009 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 77-A**

**RESOLUTIONS:**

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

- 1) **Resolution No. 86-2009;** Authorization to establish a Trust Account for Law Enforcement Funds to enable the distribution of funds received from the County of Morris Prosecutor's Office.

**RESOLUTIONS (continued):**

- 2) **Resolution No. 87-2009;** Authorization to establish a Trust Account for Police Outside Duty to enable the distribution of fees collected for payment of wages to police officers for outside employment services.
- 3) Appoint Erick Pardo as Part-Time Dispatcher for the Riverdale Police Department.

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

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 78-B AND C****MAYOR REPORT:**

Mayor Budesheim stated that Rebecca and Sgt. Dolloway will be attending the next meeting to present the borough with a flag that was flown in Iraq. He reported that seven of the eight Independent Gubernatorial Candidates will be attending Candidates Night at the Community center on Thursday, October 15<sup>th</sup> at 7:30 p.m. He also reported that the Riverdale Land Conservancy is providing funds for a gas heating system for the Glenburn barn.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to approve a change work order to contract for a gas heating system for the barn at Glenburn at a cost of \$3,800 to be paid with funds provided by the Riverdale Land Conservancy.

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

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported on the proposal from Robert Michaels and Associates who have been working on our Fair Housing Plan for COAH. There is \$97.50 left from the original proposal of \$9,500 from 2006 and he is estimating between \$15,000 and \$20,000 more. COAH is also looking for a RMHL ordinance. Borough Attorney Oostdyk will contact them and see what needs to be done. Clerk Talerico also reported that room reservations have been made for the convention and any changes must be finalized by October 30<sup>th</sup>.

**BOROUGH ATTORNEY REPORT:**

Borough Attorney Oostdyk reported that Riverdale Square has requested a waiver of the performance guarantee for their on track improvements which involve driveway curbing for the connector road. None of it is for public purposes. Councilman Guis asked if we would be setting a precedent. Mr. Oostdyk stated that others may ask for waivers but we can consider them on an individual basis. There was discussion regarding the matter.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to approve the waiver of a performance guarantee as requested by Riverdale Square for their on track improvements for the private connector road.

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

**COMMITTEE REPORTS:**

Councilman Guis reported there will be a preconstruction meeting this Thursday for the Newark Pompton and Hamburg Turnpike resurfacing. The DOT has agreed to let us apply the grants to the Hamburg Turnpike.

Councilwoman Wetzel reported she will attend a special Board of Health meeting regarding H1N1 on October 13<sup>th</sup> at 7:00 p.m.

Councilwoman Bush asked if there was any further input regarding employee reimbursement for gym membership. No one was in favor of reimbursement.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:00 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

**ROLL CALL: Present: Astarita, Bush, Falkoski, Guis, Wetzel, Carelli  
Absent: None**

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting - September 21, 2009  
Workshop Meeting - October 5, 2009

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

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

**PRESENTATION TO SERGEANT ROBERT DOLLOWAY:**

Mayor Budesheim announced that we have the privilege of honoring Sgt. Robert Dolloway of the Riverdale National Guard Armory and his family. Congressman Rodney Frelinghuysen presented Sgt. Dolloway with the Morris County Military Service Medal. In recognition of the Mayor and Council’s support of the National Guard and their families, Sgt. Dolloway presented the Borough with an American Flag that was flown over Camp Bucca while he was deployed in Iraq.

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**ORDINANCES:**

Councilman Falkoski questioned the duties and responsibilities of the municipal housing liaison position. Borough Attorney Oostdyk stated this is COAH’s model ordinance. We will also be doing an ordinance which sets out procedures once we make the decision to apply for the third round.

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

**ORDINANCE 13-2009**

**ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE BOROUGH OF RIVERDALE’S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT**

**ORDINANCES (continued):**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 81-A****RESOLUTIONS:**

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

- 1) Payment of Claims, including the following:
  - a) Gloria Carelli - Food Pantry - \$ 83.50
  - b) Mayor Budesheim - Microphone for Community Center - \$ 153.92
- 2) Payments from Escrow Accounts as follows:
  - a) Darmofalski Engineering Alexan at Riverwalk \$10,109.00
  - b) Darmofalski Engineering DR Horton-Grande \$ 230.00
  - c) Darmofalski Engineering Riverdale Square \$ 460.00
  - d) Anderson & Denzler Alexan Riverwalk \$ 3,580.00
- 3) **Resolution No. 88-2009;** Resolution Appointing Carol Talerico as Municipal Housing Liaison to the Borough of Riverdale.
- 4) **Resolution No. 89-2009;** Refund of Tax Overpayment – Block 20 – Lot 7.01 – Maureen Tencza, 3 Parkway, Riverdale, NJ \$250.00 – Disabled Deduction.
- 5) **Resolution No. 90-2009;** Release of Target Bond Service Road Construction #104763180 in the amount of \$392,018.00, which has been approved for release by the Borough Engineer Paul Darmofalski. A Maintenance Bond in the amount of \$54,447.00 has been posted.
- 6) **Resolution No. 91-2009;** Approval of Professional Services Proposal for continuation of the 2008 Housing Element and Fair Share Plan by Robert Michaels & Associates, Randolph, NJ in the a possible budgetary amount between \$15,000 and \$20,000 that work will be billed on a time and materials basis pursuant to the hourly rate of \$125.00 per hour.
- 7) Authorization to declare a 1970 Chevrolet Dump Truck with Salter/Sander as surplus and no longer of any value to the Borough of Riverdale, and to advertise for sealed bids with a minimum bid amount of \$2,400 or best offer.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 81 – B, C, D, E AND F****MAYOR REPORT:**

Mayor Budesheim reported that the Borough of Lincoln Park sent a letter to remind us of the upcoming expiration of the option for purchasing additional sewage capacity. The Mayor recommended we decline the option since we have enough capacity right now.

**NEW BUSINESS:**

- 1) Possibility of offering a reward for any information that would lead to the apprehension of the perpetrators that vandalized the water tank located at The Grande site.

**NEW BUSINESS (continued):**

Mayor Budesheim reported the recent vandalism to the water tank resulted in \$3,000 to \$5,000 in damage. It was decided to offer a \$500 reward.

- 2) Consideration of using \$25,000 of Rock Creek Escrow to improve the access road leading to the water tank located the Rock Creek Crossing site.

Councilman Guis reported on the poor condition of the road and repair work that needs to be done. The Borough Engineer suggested we use escrow money, pending legal approval, to repair the road. Borough Attorney Oostdyk stated the money was not specifically bonded for the road and we would need to schedule a hearing. After further discussion it was decided that this is a safety issue and we should not wait to make the repairs.

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

- 8) Authorizing a \$500 reward to be offered for information leading to the apprehension of perpetrators that vandalized the water tank at The Grande site.
- 9) Authorizing repair work to the access road leading to the water tank located at the Rock Creek Crossing site, using an RCP at a cost not to exceed \$25,000 to be paid by the Water Department and to recoup the cost from the developer.

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

**COMMITTEE REPORTS:**

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

Councilman Guis reported on the five year vehicle plan.

Councilwoman Wetzel reported on a special Board of Health meeting. They are forming a Health Education Committee and the 2010 budget was submitted. There are six communities being rendered under the Pequannock Health System so they may change the name to Jersey Health Alliance. There was information provided regarding the upcoming flu clinics. She also reported on the Halloween Parade and festivities to be held October 30<sup>th</sup>.

Councilman Astarita reported that the first meeting of the Community Development Board will be November 5<sup>th</sup>. He commended Officer LoPorto for the manner in which he responded to his wife's recent call for an ambulance.

Councilwoman Bush reported that the Municipal Alliance is coordinating a Teen Fright Night Movie event.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that tipping fees will be increasing to \$90.38 per ton for 2010. She also reported we received notification from NJIIF regarding our workman's compensation insurance. An audit was done and Riverdale's potential supplemental assessment may be \$27,542.88 payable over a multi-year period. She also reminded the Council that room reservations for the convention must be finalized by October 30<sup>th</sup>.

**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 Councilman Guis, to adjourn the meeting.

**ALL IN FAVOR.**

Adjourned: 8:28 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

**ROLL CALL: Present: Astarita, Falkoski, Guis, Wetzel, Carelli**  
**Absent: Bush (parent/teacher night)**

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.

**ALL IN FAVOR.**

**RESOLUTIONS:**

Borough Clerk Talerico stated that the Council had previously addressed resolution 46-2009 and the Finance Officer requested it be placed on the agenda. Borough Attorney Oostdyk stated that there is a set policy for municipalities to protect private information from public access. There is no requirement for training or documentation. We will distribute the policy to all employees and obtain signatures for receipt. Councilman Guis clarified resolutions 5, 6 and 7.

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

- 1) **Resolution No. 46-2009;** Resolution to implement an identity theft program and policy for the Water and Sewer Utilities and other departments. (copy of policy distributed to Governing Body with agenda)
- 2) Approval of payment #5 to Dell Tech for the Rehabilitation of Glenburn Barn & House Project in the amount of \$28,035.00 which has been approved for payment by Eric Hollenstein Project Engineer.
- 3) Approval of release of \$60 escrow funds to Mr. Paul Purcell, 95 Riverview Terrace, original requested work requiring escrow was never initiated.
- 4) **Resolution No. 92-2009;** Transfer of Appropriations.
- 5) Approval of the following purchases for purposes indicated:
  - a. L. Becker & Son, Inc. rental of bulldozer, roller, backhoe and truck with two operators for the improvements to Rock Creek Water Tank in the amount of \$1,500 per day for an estimated period of 5 days totaling \$7,500. (two quotes were received). Tilcon for Dense Graded Aggregate in the amount of \$6.50/ton FOB for 200 tons.
  - 6) b. Ron Febbi, rental of bulldozer and roller with two operators for improvements to Aqueduct Road in the amount of \$625 per day for an estimated period of two days totaling \$1,250 (two quotes were received).
  - 7) c. Pop-A-Lock, for water tank Alarm Systems at The Grande in the amount of \$3,621 (The Grande to be billed for reimbursement) and Rock Creek Crossing in the amount of \$3,921.

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

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 85-A AND B**

**OTHER BUSINESS:**

- 1) Submission of executed Certificate of Determination and Award to Governing Body in order to meet the reporting requirements of the Local Bond Law. (copy of certificate distributed to Governing Body with agenda)
- 2) Consideration of 2010 Interlocal Service Agreement with Morris County for use of County's Mobile Data Terminal System.

It was decided to submit the 2010 agreement to the Police Chief for review and recommendation.

**CORRESPONDENCE:**

- 1) From the Riverdale School District, Student Council President, Jennifer Pezzuti, inviting the Governing Body to its annual Veterans' Day Assembly on Wednesday, November 11, 2009 at 1:15 p.m. in the school gymnasium. Please contact Mrs. Mary Lou Kammen at 973-839-1300 Ext. 4.

**MAYOR REPORT:**

Mayor Budesheim discussed the possible introduction of a rental registration ordinance. He will distribute the ordinance to Council for review. He reported that the Riverdale/Pompton Lakes First Aid Squad requested we pay \$2,500 to \$3,000 toward expenses to help outfit their donated truck. He also reported the Riverdale Art Center is having a reception on Friday and grand opening on Saturday.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that someone contacted her regarding possible reimbursement for damage to their vehicle from hitting a pothole. Council agreed it would be a bad policy to reimburse for damage from potholes. Borough Attorney Oostdyk stated that generally municipalities do not reimburse for potholes.

**COMMITTEE REPORTS:**

Councilman Falkoski reported that the Police Department received a donation from Target and two defibrillators were purchased with the money.

Councilwoman Wetzel reported on the success of the Halloween event and decorating contest. She commended Recreation Director June Carelli for a wonderful job.

Councilman Astarita reported he will be attending the two upcoming Community Development meetings and a Veteran's Day ceremony in Pompton Lakes.

**PUBLIC PARTICIPATION NO. 2:**

Mr. Petracca addressed the Council regarding his property taxes. He was advised that the Council has no control over property taxes.

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:25 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting       -       October 19, 2009  
 Workshop Meeting    -       November 2, 2009

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

**ROLL CALL:**       **Ayes:**     **Astarita, Bush, Falkoski, Wetzel, Carelli**  
                           **Nays:**     **None**  
                           **Abstain:** **Bush (November 2, 2009 only)**  
                           **(5 ayes – 0 nays – motion carried)**

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**ORDINANCES:**

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

**ORDINANCE 13-2009**

**ORDINANCE TO CREATE THE POSITION OF MUNICIPAL  
 HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING  
 THE BOROUGH OF RIVERDALE'S AFFORDABLE HOUSING  
 PROGRAM PURSUANT TO THE FAIR HOUSING ACT**

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

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

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

**ALL IN FAVOR**

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 13-2009 as read on second reading at this meeting, be adopted and finally passed.

**ORDINANCES (continued):**

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 88-A****RESOLUTIONS:**

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

- 1) Payment of Claims, including the following:
  - a) Community Center Supplies - Not to Exceed - \$ 1,000.00
  - b) Mountain Creek Ski Passes - Recreation Trust Fund - \$ 8,412.70
  - c) NJSEA/Disney on Ice Tickets- Recreation Trust Fund - \$ 727.50
  - d) Fast Signs - Signs for Halloween Decoration Contest - \$ 75.00
- 2) Payments from Escrow Accounts as follows:
  - a) Darmofalski Engineering DR Horton-Grande \$ 230.00
  - b) Darmofalski Engineering Alexan at Riverwalk \$ 2,756.00
  - c) Darmofalski Engineering Riverdale Square \$ 115.00
  - d) Anderson & Denzler Assoc. Alexan Riverwalk \$ 2,700.00
- 3) **Resolution #93-2009;** Transfer of Appropriations.
- 4) Mayor to appoint John Scialla as Acting Construction Code Official in the absence of Joseph Montemarano to be out on medical leave, with confirmation of council.
- 5) **Resolution #94-2009;** Refund of Tax Overpayments.
- 6) **Resolution #95-2009;** Redemption of Tax Sale Certificate #2-01 Tax Title Lien.
- 7) **Resolution #96-2009;** Redemption of Tax Sale Certificate #6-03 Tax Title Lien.
- 8) Approval of Change of Work Order in the amount of \$200 for tree cutting at Glenburn.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 88 – B, C, D, E AND F****BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported on correspondence received from Ralph Conforti, 126 Mathews Avenue, regarding Riverdale Ordinance 8-82 providing for vacation of Lead Mine Road. He requested clarification of the ordinance as it pertains to his property. Borough Attorney Oostdyk requested a copy so he can respond.

**COMMITTEE REPORTS:**

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

Councilwoman Wetzol reported that the Riverdale School is holding a fundraiser to have the Riverdale community holiday tree on the school lawn professionally decorated. The initial cost is \$1,500 and there will be a maintenance contract. She recommended that \$500 be contributed toward the project from Celebration of Public Events.

**COMMITTEE REPORTS (continued):**

Thereupon, Councilwoman Wetzel set forth the motion, seconded by Councilman Astarita, to contribute \$500 from Celebration of Public Events to the Riverdale School fundraiser for the community holiday tree decorating and celebration.

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

Councilman Astarita reported on the Community Development Block Grant meetings he attended. The application deadline is January 8<sup>th</sup> and presentations will be March 8<sup>th</sup> and 9<sup>th</sup> and the Freeholders will vote on April 28<sup>th</sup>. They would like projects completed within 18 months of receiving a grant.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 7:56 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

**ALL IN FAVOR.**

**RESOLUTIONS:**

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

- 1) Approval of following payments:
  - a) Gloria Carelli - Food Pantry Purchases \$119.75
  - b) Verizon - DSL Line \$192.24
- 2) **Resolution #97-2009;** Approval of submittal of a grant application for the DEP Business Stimulus Fund for CSIP# 8 Tree Maintenance in the amount of \$7,000 with a borough share of \$2,630.00.
- 3) Approval of refund of escrow funds to Eric & Bonnie Watts, 105 Loy Avenue, in the amount of \$250.00. (borough engineer has approved the release of the funds, project is complete)
- 4) Resolution to schedule 2010 Reorganization meeting for Monday, January 4, 2010 at 7:00 p.m.
- 5) Approval of payment of the VSAP Program Award to the Pompton Lakes/Riverdale First Aid Squad at a total amount of \$17,302.50. (funds are available in the budget)
- 6) Resolution to schedule a year end special meeting for Tuesday, December 29, 2009 at 9:00 a.m. to finalize any official matters or financial that may be deemed necessary for the closing of the 2009 year.
- 7) **Resolution #98-2009;** Transfer of Appropriations.

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

**COPY OF RESOLUTIONS IN FULL ON PAGE NO. 90-A AND B**

**MAYOR REPORT:**

Mayor Budesheim reported that Pompton Lakes Mayor Katie Cole was grateful for our offer to turn over the historical marker for the event that was determined to have occurred there.

**BOROUGH CLERK REPORT:**

Borough Clerk Talerico reported that a borough employee has requested a health benefit waiver stipend to be effective January 1, 2010. There was discussion regarding the requirements.

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

- 8) Approval of annual health benefit waiver stipend of \$2,500 to Anthony LoPorto for waiving health benefits effective January 1, 2010 provided all requirements are met and paperwork filed.

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

Borough Clerk Talerico reported that part-time Building Inspector Anthony Gallo has again reached the maximum approved amount of pay.

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

- 9) Approval of additional \$2,000 salary for part-time Building Inspector Anthony Gallo.

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

Borough Clerk Talerico reported the Pompton Lakes/Riverdale Little League has requested use of Independence Park from March 6 through August 1, 2010. She also reported on the new Citizens Service Act for citizens wishing to serve on any municipal authority, board or commission.

**ATTORNEY REPORT:**

Borough Attorney Oostdyk reported on continued requests for release of Rock Creek escrow from Buzz Shull. The Borough Engineer requires the as-builts prior to any further escrow release. Borough Clerk Talerico will verify the number of Rock Creek escrow accounts. Mr. Oostdyk also reported that Target mailed draft deeds of dedication for the service road. After discussion it was decided that we do not wish to take a deed of dedication at this time and may in the future.

**COMMITTEE REPORTS:**

Councilman Falkoski announced that members of the Fire Department are here to discuss a matter with the Council. Pat Cleary stated that he was notified by the finance department that two of their purchase orders are on hold because there are no funds available. He discussed his understanding of the budget and the numbers they are working with for their equipment purchases, vehicle maintenance and repairs. Fire Chief Mike Norton and Assistant Chief Dan Sturm participated in a discussion with the Council regarding the Fire Department's current needs and the budget process. Dan Sturm stated that they put items in their original budget and got approval and hadn't been told about changes made later. Councilman Falkoski stated that he would like to establish a policy to require every department to submit an itemized budget for the entire Council to review with the department heads before approving the budget and have monthly monitoring.

**COMMITTEE REPORTS (continued):**

The only budgets he has ever seen are Fire Department, Police Department and the Court. He stated that it's our responsibility to approve the general budget and each member of the Council should be supplied every department's budget. Mayor Budesheim stated that it is not the Council's job to sit down with every department head. Councilman Guis stated that to do a line item and projection in a department like the DPW is almost impossible. Borough Clerk Talerico stated that department detailed expenditures are available any time but they are hundreds of pages. Budget summaries are available on request. Councilman Falkoski stated he would get a copy of the type of report he is requesting to see if something similar can be provided. The Fire Department will prioritize its remaining equipment, maintenance and purchasing needs and report back to the Council by December 29<sup>th</sup>.

Councilman Guis reported on the status of the Hamburg and Newark Pompton Turnpike paving project. Due to anticipated bad weather, the contractor has requested extended hours for paving tomorrow. Mayor Budesheim was opposed. There was discussion regarding the options.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to approve extended hours of paving the Newark Pompton Turnpike on Tuesday, December 10, 2010 from 6:00 AM to 6:00 PM.

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

Councilwoman Wetzel reported the tree lighting will be held tomorrow at 6:00 PM followed by a reception at the Community Center. She also reported that Labor Day Monday is available for the Street Fair and asked if anyone was opposed to scheduling that date. None were.

**ORDINANCES:**

Councilman Falkoski asked why this ordinance was necessary. Mayor Budesheim stated that it is for safety reasons and most towns have an ordinance of this type. Councilman Guis stated the fees are too high for a small business owner. There was discussion regarding enforcement of the ordinance.

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

**ORDINANCE 14-2009**

**ORDINANCE AMENDING THE REVISED GENERAL  
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND  
 CLARIFYING THE REQUIREMENT FOR A CERTIFICATE OF  
 CONTINUED OCCUPANCY FOR RESIDENTIAL RENTAL  
 DWELLINGS CONTAINING FOUR UNITS OR MORE**

**ROLL CALL:**       **Ayes:     Astarita, Bush, Falkoski, Wetzel, Carelli**  
                           **Nays:     Guis**  
                           **(5 ayes – 0 nays – motion carried)**

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

**CORRESPONDENCE:**

- 1) Letter from Michael Simone, Jr. of Pompton Lakes objecting to the governing body's decision not to reimburse him for the damage to his vehicle caused by hitting a hole created by the Borough of Riverdale DPW near the entrance to Building 44, Route 23 North (Riverdale One). Mr. Simone is asking the governing body to reconsider this decision due to the fact the hole was not a pothole but a hazard created by the opening not being properly backfilled and deep depression formed. (copy of letter distributed to Mayor and Council)

After a brief discussion, the governing body was in agreement not to reimburse Mr. Simone for the damage to his vehicle.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 9:35 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

**ROLL CALL: Present: Astarita, Bush, Falkoski, Guis, Wetzel, Carelli  
Absent: None**

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

**APPROVAL OF MINUTES DATED:**

Regular Meeting - November 16, 2009  
Workshop Meeting - December 7, 2009

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

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

**PUBLIC PARTICIPATION NO. 1:**

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

**ALL IN FAVOR.**

**ORDINANCES:**

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

**ORDINANCE 14-2009**

**ORDINANCE AMENDING THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF RIVERDALE AND  
CLARIFYING THE REQUIREMENT FOR A CERTIFICATE OF  
CONTINUED OCCUPANCY FOR RESIDENTIAL RENTAL  
DWELLINGS CONTAINING FOUR UNITS OR MORE**

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

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

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

**ALL IN FAVOR**

Councilman Falkoski spoke regarding a letter Mayor Budesheim received from Drinker, Biddle & Reath, a firm representing Trammel Crow Residential, which raises concerns and objections to the ordinance. The letter states the proposed licensing fee is excessive. Mayor Budesheim stated that he had discussed the letter with Brian Cheripka of TCR. We are concerned with stacking. The ordinance exempts dwellings with less than four units because they are often owner occupied and control the number of tenants. This is

**ORDINANCES (continued):**

something the tax payers cannot afford to monitor. Councilman Falkoski stated that TCR is building 212 rental units and that times \$200 each seems like more than would be required to make the inspections. Mayor Budesheim stated that we could adjust the fees after a year's experience. He said the town has a responsibility to the people who rent apartments to be sure they meet housing and fire standards. There was a discussion regarding the enforcement, startup and administrative costs of inspections.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED** that Ordinance No. 14-2009 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 95-A****RESOLUTIONS:**

Councilman Falkoski asked for clarification of resolution 13. Borough Attorney Oostdyk explained that we came to an agreement after mediation. Councilman Astarita asked for clarification of the decision to re-bid for Recycling Collection. Borough Attorney Oostdyk explained the bid specifications were not specific that we want some of the recycling to be done with compacting equipment.

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

- 1) Payment of Claims.
- 2) Payments from Escrow Accounts as follows:
 

a) Darmofalski Engineering	Alexan at Riverwalk	\$5,836.00
b) Anderson & Denzler Assoc.	Alexan at Riverwalk	\$1,566.35
- 3) **Resolution #99-2009;** Transfer of Appropriations.
- 4) **Resolution #100-2009;** Temporary 2010 Appropriations.
- 5) **Resolution #101-2009;** Cancellation of Prior Year Outstanding Checks.
- 6) **Resolution #102-2009;** Cancellation of Various Balances.
- 7) **Resolution #103-2009;** Refund of Tax Overpayments – Bl 40, L 2.6115 - \$999.55.
- 8) **Resolution #104-2009;** Refund of Tax Overpayments – Bl 3, L 1.03 - \$507.62.
- 9) **Resolution #105-2009;** Approval of Settlement of Tax Appeal for Abroumi, Yassin Block 37, Lot 9.
- 10) Approval of Award of Solid Waste Bid received on December 9, 2009 to Blue Diamond for a five year period with the option of two collections from the compactor sites with the property owner supplying the equipment in the amount of \$318,000.00, which computes to \$5,300.00 per month.
- 11) Approval of the decision to re-bid the Recycling Collection bid received on December 9, 2009 due to an issue of the bid not containing a provision requiring a pick up of compacted materials from the multifamily sites that did not become apparent until after the bids were received. (copy of Borough Attorney letter distributed to Governing Body with agenda)
- 12) Approval of 2010 Dial-A-Ride Cooperative Shared Services Agreement for a term to commence on January 1, 2010 and shall terminate on December 31, 2015. (copy of agreement distributed to Governing Body with agenda)

**RESOLUTIONS (continued):**

- 13) Approval of settlement between the Borough of Riverdale and the New York Susquehanna Railroad.
- 14) Approval of 2010 Towing License for A to Z Services, Sky Ball – 3 Mathews Avenue, Riverdale, upon review and approval of Police Chief. Applicable fee has been paid.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 96 – B, C, D, E, F, G, H AND I**

Mayor Budesheim asked for consent of the Council to look for a specialists in Sewer Engineering and in Accounting to assist with pinpointing and remediating the I & I problems with our sewers.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to give consent for Mayor Budesheim to look for specialists in Sewer Engineering and Accounting to assist with pinpointing and remediating the I & I problems with the sewers.

**ALL IN FAVOR**

**COMMITTEE REPORTS:**

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

Councilman Astarita reported the Community Development Block Grant application deadline is January 8<sup>th</sup>.

**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 Councilman Astarita, to adjourn the meeting.

**ALL IN FAVOR.**

Adjourned: 8:10 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

**ROLL CALL: Present: Astarita, Bush, Carelli, Falkoski, Guis, Wetzel**  
**Absent: None**

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

**THE PURPOSE OF THIS SPECIAL MEETING IS TO ACT ON ANY FINANCIAL MATTERS OR OTHER MATTERS DEEMED NECESSARY BY THE GOVERNING BODY FOR THE CLOSING OF THE YEAR 2009:**

**RESOLUTIONS:**

- 1) **Resolution No. 106-2009;** Transfer of Appropriations.

Council discussed a matter of traffic control overtime and the proposed transfer of appropriations for the purpose of purchasing a police vehicle. One discussion pertained to the number of officers who were assigned to work at Wal-Mart on black Friday and the fact that Captains were scheduled to work. This resulted in the cost exceeding the fees billed to the contractor. The fees are set by ordinance and are based on Sergeants salary. Councilwoman Wetzel stated the situation was taken advantage of and this shouldn't be costing us money. Councilman Guis felt the amount was minimal and we are spending too much time on the matter. Councilman Falkoski stated the matter has been addressed and in the future this will not occur. Councilman Guis advised that we need to purchase two police cars and they should be ordered in the next few weeks. Approving the transfer resolution would allow one car to be purchased this year and we can purchase the other early next year. Councilman Carelli was concerned with transferring the funds out of the other accounts at this time. He would prefer budgeting for two cars as needed each year and stick to the plan. There was additional discussion regarding the plan to purchase police vehicles. Council debated the cost of using flagmen instead of police officers for traffic control for contracted road projects.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to deny Transfer Resolution No.106-2009 and to budget for new police cars in 2010.

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

**COPY OF RESOLUTION IN FULL ON PAGE NO. 97-A**

**ADJOURNMENT:**

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

**ALL IN FAVOR**

Adjourned: 9:40 a.m.

**APPROVED:**

Respectfully Submitted:

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