

The Annual Re-Organization Meeting of the Borough of Riverdale Mayor and Council opened on the above date at 7:30 p.m. with the Pledge of Allegiance.

Mayor William Budesheim presiding.

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

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

Mayor Budesheim thanked Freeholder Director Gene Feyl and Freeholder William Chegwidde for stopping in tonight.

MUNICIPAL CLERK READS CERTIFICATION OF ELECTION:

Municipal Clerk Carol Talerico read the certification of the determination of the November 2, 2010 General Election as follows:

NAME	OFFICE	TERM
Joseph J. Falkoski	Borough Council	3 Years
Garrett Astarita	Borough Council	3 Years

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED OFFICIALS:

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

INTRODUCTION OF NEWLY ELECTED OFFICIALS AND REMARKS BY SAME.

COUNCILMAN GARRETT ASTARITA:

First let me say that it has been my honor to serve Riverdale as your Councilman for the past 15 years. I want to thank my fellow residents for having the trust and confidence in me to elect me to a sixth term. The next several years will present a challenge for all New Jersey municipalities while we struggle through the 2% cap with the issues with consolidation, as always trying to keep our municipality affordable to our citizens. As in the past, I am confident this Council along with our Mayor will face these issues head on and keep the citizens of Riverdale first in our minds. In closing, I pledge to work with my fellow councilpersons to keep Riverdale a great affordable place to live for all our residents. I do feel the future of Riverdale is a bright one and I am privileged to be part of that future. Thank you.

COUNCILMAN JOSEPH FALKOSKI:

I'd just like to wish everyone a happy and prosperous New Year and thank the voters for re-electing me to serve another term on this Governing Body. It is an honor and a privilege. Last year saw some controversial and divisive issues debated before us - police merges and salary issues among them. These issues will continue to escalate in the future with budget caps and an alphabet soup of committees and groups - GEM, LUARC, etc., along with state agencies pressuring us to consolidate, merge, share and lose identity. I urge the members of this Governing Body to stay on top of current actions being proposed along with proposed and new legislation in this regard. Let us not wait until decision day to try to educate ourselves on the issues. By doing so, we will be prepared to ensure the best outcome with a minimum of divisiveness and polarization for our community, its workers and its citizens. Thank you.

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

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

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

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

RESOLUTIONS:

Councilman Falkoski asked for clarification of resolution No. 6-2011. Mayor Budesheim stated it is used for clarifying that hours for non-mandatory schooling and qualifying will fall under the 28 day schedule instead of the 40 hour work week.

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

- 1) **Resolution No. 1-2011;** Re: Official Legal Newspaper – Suburban Trends.
- 2) **Resolution No. 2-2011;** Re: Annual meeting schedule – 1st and 3rd Monday of each month at 7:30 p.m.
- 3) **Resolution No. 3-2011;** Re: Bank Signatures and Depositories.
- 4) **Resolution No. 4-2011;** Re: Delinquent Taxes & Interests.
- 5) **Resolution No. 5-2011;** Re: Local Public Contracts Law.
- 6) **Resolution No. 6-2011;** Re: Police Department – Setting Work Schedules.
- 7) **Resolution No. 7-2011;** Re: Official Holidays – Borough Employees.
- 8) **Resolution No. 8-2011;** Re: Cash Management Plan

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

COPY OF RESOLUTIONS IN FULL ON PAGES 2-A, B, C, D, E, F, G AND H

COUNCIL TO SELECT PRESIDENT OF COUNCIL:

Councilman Carelli thanked the Governing Body for the honor of serving as the Council President for the past three years.

Councilman Carelli offered the name of Ted Guis as Council President; motion seconded by Councilman Falkoski.

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

MAYOR BUDESHEIM NAMES COUNCIL COMMITTEES:

Mayor Budesheim stated the 2011 Council Committees:

Councilperson Carelli	Finance	2 nd Loesner
Councilperson Falkoski	Public Safety	2 nd Wetzel
Councilperson Guis	Public Works	2 nd Astarita

Councilperson Wetzel	Community Relations	2 nd Falkoski
Councilperson Astarita	Buildings & Grounds	2 nd Guis
Councilperson Loesner	Personnel	2 nd Carelli
Councilperson Guis	Vehicles	2 nd Carelli

COUNCIL TO APPOINT PLANNING BOARD LIASON:

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

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

2011 APPOINTMENTS MADE BY MAYOR BUDESHEIM AND CONFIRMATION OF COUNCIL:

Mayor Budesheim stated that the Council had received a copy of the 2011 Appointment List.

Mayor Budesheim requested Council confirmation of the 2011 Appointments.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Astarita, for Council confirmation of the 2011 Appointments as listed.

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

COPY OF 2011 BOROUGH OF RIVERDALE APPOINTMENT LIST IN FULL PAGE NO. 3-I

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

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

REMARKS MADE BY MAYOR WILLIAM BUDESHEIM:

2010, a year in which the way we govern our municipality was changed considerably. We are now greatly restricted in the way we are able to provide the services our residents and business community expect from their local government. The past year was a learning experience for the Governing Body. We learned a lot about the people we work with and how to best adapt to a changing landscape. This past year the state imposed a 2% cap on the amount the local municipalities are able to increase their taxes. For us the amount we can increase taxes is \$90,000 or one tax point. How are we to apportion that \$90,000 throughout the budget? Some examples of the challenges we are facing:

1. The Morris County MUA increased its garbage tipping fees over the past 12 months by 8.1%. This is done a 2% world resulting in an increase of at least \$12,000.
2. The Riverdale PBA through their contract will be receiving an average salary hike of 8.25% for a total of \$102,000.

REMARKS MADE BY MAYOR WILLIAM BUDESHEIM (continued):

3. The Passaic Valley Water Commission increased its rates to the municipalities for the second year in a row. This year it went up an additional 5% after going up 4% in 2010. Since we hadn't had a water rate increase in over two years, we were forced to increase our water rates by 30 cents per thousand gallons this year.

Among the line items exempt by the state from the 2% cap are the pension costs and medical insurance premium increases over 2%. These are the two line items that are controlled by the state and we have received our notice that the health insurance premiums are increasing by 16.7%. Again, this is in a 2% world. The public employees' pension system charges the towns 11.05% of the employees' gross pay and the police pension premiums are billed to the municipalities at a rate of 29.36%. When you add the police pension costs and - let me just say here this isn't meant to focus any special attention on police. This is the result of a system under which we are living and this is the result of a contract that this Governing Body proposed and adopted. It's not a negative reflection on the department but this is reality and this is what we're facing. When you add the police pension costs to the matching taxes, workman's comp and health benefits there is a 57% add-on. How does that translate into dollars? The 15 members of the PBA are slated to make \$1.34 million in base pay in 2011 and adding our costs to that we will be paying out \$2.12 million. That's 47% of all the taxes that we collect from the municipality.

Over the past four years, though, we have been cutting the operating budgets for many of the line items up to 30%. We had to lay off an inspector in the Building Department at the end of this year. We will not be continuing our Municipal Alliance Committee saving money there. We have reduced some of our banking costs for the court system. We challenged Verizon. They were going to withhold their personal tangible property tax for 2011 which comes to about \$103,000. We challenged them on that. We sent letters and we got our legislators involved and it went to the Attorney General's office. We got a call from Senator Pennacchio this morning that Verizon has agreed that what they were attempting to do was not right so we are not going to lose that money at this time. This year we became part of MCUrgent which is using the social networks to notify people of road closures, snow closings and so forth. We've reactivated our CERT teams. We have a new Deputy Coordinator, Russ Hatzel, a policeman from Mt. Olive who lives in Stoneleigh. He's been reactivating that so that's going to become an active organization within our community. In December we honored Jack Norton who just celebrated 50 years as an active fireman in town. This coming year we'll be honoring Bill Bowersox, another 50 year veteran of the Fire Department. These two men are at every single fire especially during the day. The Community Center is of course one of the treasures of the town. Last year we had over 400 events at the Community Center. We now have the pavilion set up at the Glenburn for outdoor activities and so forth. We have \$250,000 we received in grants for historic preservation of the Glenburn and we're going for another grant. By the end of this year we'll have awarded a contract hopefully that will totally renovate the interior of the Glenburn for events. We got good news last week. It looks like we will be saving Slater's Mill. We've made arrangements with some private business people who will be purchasing it for us to give the Riverdale Art Center time to raise the funds. They want to move their headquarters there and start restoring it. So we have a lot of good things coming up and a lot of challenges. The Council has always been very supportive and we enjoy working with each other and I'm looking forward to that this coming year.

Mayor Budesheim announced that Senator Pennacchio just arrived. He told the Senator that we are extremely grateful for all of the work he did for us in dealing with Verizon and it means a lot to the residents not to lose that \$103,000.

REMARKS MADE BY MAYOR WILLIAM BUDESHEIM (continued):

Finally, this coming year we're going for a new reval. We had one about five years ago but unfortunately we did that at the peak of the values of residential properties and the residents paid a bigger portion of the tax bill. We want to bring the assessments into line to fair market value so we'll be doing that this year. That should help with the property owners' taxes that they pay and hopefully stop the bleeding of the tax appeals that we're getting hit with. There's so many and unfortunately we're not winning them.

Senator Pennacchio wished everyone a happy and health New Year.

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

SWEARING IN OF MEMBERS OF THE RECREATION COMMITTEE:

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

Councilwoman Wetzel thanked the committee for their hard work.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:00 p.m.

APPROVED:

Respectfully Submitted:

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

The workshop meeting of the Borough of Riverdale Mayor and Council opened on the above date at 8:00 p.m.

Mayor William Budesheim presiding.

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

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

RESOLUTIONS:

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

- 1) **Resolution No. 09-2011;** Resolution Establishing Salaries – DPW – for 2011.

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

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

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.

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:

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

ORDINANCES (continued):**ORDINANCE 02-2011****ORDINANCE AMENDING CHAPTER 147 AND PROHIBITING THE
PLACEMENT OF MATERIALS ON PUBLIC SIDEWALKS WITHIN THE
BOROUGH OF RIVERDALE**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 8-B**PAUL DARMOFALSKI TO PRESENT A DONATION TO THE RIVERDALE
FOOD PANTRY ON BEHALF OF THE PEQUANNOCK VALLEY ROTARY
CLUB**

Paul Darmofalski, President of the Pequannock Valley Rotary Club, stated that they realized there was a need in the food pantries of the communities they serve. He presented a \$500 check to Councilwoman Wetzel for the Riverdale food pantry.

RESOLUTIONS:

Councilman Carelli asked for clarification of resolution No. 6. Mayor Budesheim stated that any employee hired after February 1, 2011 would have to work 37-1/2 hours per week to qualify for medical benefits.

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

- 1) Payment of Claims. (including the following)
 - 1) Refund of Showmobile Deposit Lady of Mt. Carmel \$ 500.00
 - 2) Refund of Showmobile Deposit Bloomingdale Fire \$ 500.00
- 2) Payments from Escrow funds for the following Professionals:
 - 1) Johnson, Murphy, Hubner TCR/Riverwalk \$ 154.00
 - 2) Johnson, Murphy, Hubner PioCosta Develop \$ 126.00
 - 3) Anderson & Denzler Alexan Riverwalk \$7,876.86
- 3) **Resolution No. 10-2011;** Resolution of the Borough Council of the Borough of Riverdale Opposing Assembly Bill No. A2095 and Senate Bill No. S-818 which Revise Requirements for Medical Service Delivery.
- 4) **Resolution No. 11-2011;** Refund of Tax Overpayments – Block 40, Lot 3.2303 – Jason & Daniella Raffo, \$1,031.34, year 2010, Duplicate Payment.
- 5) **Resolution No. 12-2011;** Approval of 2011 Professional Agreement for Auditing Services.
- 6) **Resolution No. 13-2011;** Hours of Employment Required to Participate in the State Health Benefits Plan.
- 7) Approval of payment to L. Becker and Son in the amount of \$11,950 for Glenburn sewer connection as recommended by the Borough Engineer. (Three quotations were obtained).

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

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 8-C, D, E,
F AND G.**

MAYOR REPORT:

Mayor Budesheim reported on results from the energy audit we had done for the Direct Install program. The total project cost is about \$269,000. New Jersey Clean Energy Program covers about \$137,000 which leaves about \$132,000. According to the survey we would get back that money in energy savings in 3-1/2 years but we have to act on this by January 21st. After a brief discussion it was decided that Councilman Guis and Mayor Budesheim would go over the details of the proposal.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, to authorize the Mayor to execute the 2010 Direct Install Program Application and Participation Agreement with Donnelly Energy Solutions.

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

Mayor Budesheim reported that he discussed changes to our sick leave policy with the Personnel Committee and would like to have further discussion at the workshop meeting. He stated that sick days are there for employees who are sick and not as a retirement bank. He suggested accumulated sick days be capped at 130 and that we don't pay for unused sick time. There are a few employees nearing retirement and we are not looking to take anything away from them. If anybody retires within 3 years I would like to see us honor whatever benefits were in place at that time but we have to do something to cut down costs. We've been doing a lot to cut costs. We've had a 69% drop in interest cost on our notes, we've been trimming the o/e budgets and some are down 30% from four years ago, we've switched utility carriers hoping to save 10% or 11%. And now, the biggest ticket. In 2010 the 18 police officers including salaries and benefits cost us \$2,753,000. The non-sworn officers (dispatchers, crossing guard and secretary) came to another \$300,000. The operating budget, vehicle maintenance, fuel, etc. adds another \$150,000 to the overall police budget with a total of \$3.2 million. The Riverdale tax rate is broken into three components with the amounts going to the school, the county and the borough. The borough's share of that tax is \$4.5 million; therefore 71 cents out of every tax dollar went to the Police Department leaving just 29 cents available to run the rest of the town. We cannot continue to do this. We can't continue going down this road. It has to come to an end. My goal is to bring that percentage down from the 71% to a much more manageable 50% of the tax revenue for the borough. There are two way to accomplish that. One is to raise taxes sufficiently to cover that goal and that would require a 42% increase in our tax levy. Such an approach is absurd and not worth mentioning. The other way, and I believe the only appropriate way, is to lower local government spending in the Police Department. However, with the 15 sergeants and patrolmen covered under the PBA contract, they are slated over the next two years between 2011 and 2012 to get an overall 23.38% raise so this isn't going to be easy. But I promise I'm going to do all that I can with the help of the Governing Body and the cooperation of the PBA to bring down that expense to the 50% level within the next four years. I believe it's something that can be done with oversight and hard work. I believe that goal is obtainable and I know it is a goal worth fighting for. I want to let you know where we stand and what we're being confronted with.

COMMITTEE REPORTS:

Councilman Guis raised the issue and Borough Attorney Oostdyk reported on CDL license requirements. We do not have a policy in Riverdale with the CDL license to do drug testing and several other requirements under CDL we are supposed to be doing. We will look at policies of other municipalities and at the regulations to begin to get us into compliance.

COMMITTEE REPORTS (continued):

Councilwoman Wetzel reported that the Borough of Riverdale has been approved and will be receiving an artifact from the World Trade Center. She applied to the Port Authority of New York and New Jersey requesting something. We don't know yet what it will be but she was very proud and pleased to hear we would be receiving something prior to the 10th anniversary of September 11th. Details will follow.

Councilman Loesner reported on a system that was implemented for time reporting by the DPW and Police Department. A weekly time sheet will be attested to by the employee and department head and kept on file with the Borough Clerk.

PUBLIC PARTICIPATION NO. 2:

Paul Darmofalski stated that the Pequannock Valley Rotary would be honored to pledge financial assistance for the World Trade Center artifact if it is needed.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:07 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 03-2011

**AN ORDINANCE AMENDING CHAPTER 135 OF THE REVISED
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE.**

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

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

NEW BUSINESS:

- 1) Discussion of possible introduction of an Ordinance providing for service fees to be paid to the Riverdale Fire Department, and possible introduction as Ordinance No. 04-2011.

Mayor Budesheim stated that this is an ordinance that was mentioned in the League of Municipalities Magazine. At this point it is for review and discussion.

RESOLUTIONS:

Mayor Budesheim stated that we approved and applied for the energy grant. We reduced the scope of the work and the Borough's share is approximately \$22,000. There is another grant he would like to submit for \$125,000.

Councilman Astarita asked if the reimbursement numbers had been certified. Mayor Budesheim replied that they were.

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

- 1) **Resolution No. 15-2011;** Emergency Temporary Appropriations.
- 2) **Resolution No. 16-2011;** Transfer of 2010 Appropriation Reserves.

RESOLUTIONS (continued):

- 3) Approval of new rental application/agreement forms to be used for application for use of the Senior Community Center or the Glenburn Estate by residents or civic and non-profit organization and commercial & business organizations.
- 4) Authorization to issue a check to retired Police Captain John Peine for the following:
 - a) Reimbursement for 277 accrued unused sick days - \$8,310.00.
- 5) Authorization to issue checks to retiring Police Captain Richard Roemmele for the following (copy of request sent to Governing Body with agenda) :
 - a) Reimbursement for 300 accrued unused sick days - \$9,000.00
 - b) Reimbursement for 43 days unused compensatory time - \$21,022.22
- 6) **Resolution No. 17-2011**; Refund of Tax Overpayments.
- 7) Authorizing Mayor Budesheim to apply for Energy Efficiency and Conservation Block Grant Rebate Program in the amount of \$125,000.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 12- B, C AND D**CORRESPONDENCE:**

- 1) From James L. Lott, Jr. of Riker Danzig, Attorneys at Law requesting that all financial assurances posted by Powder Mill in accordance with N.J.S.A. 40:55D-53 be released and/or refunded upon the inspection of the Borough Engineer. (this correspondence has been sent to the Borough Attorney and the Borough Engineer for their response)

Borough Attorney Oostdyk stated they have the letter and are looking into it.

- 2) Application from Amvets – 459 Ridge Road, Lyndhurst, NJ to place clothing bins in the parking lot of Riverdale Crossing, LLC.

Borough Clerk Talerico stated that she received this application and asked the Council for guidance. Borough Attorney Oostdyk stated that if the applicant wants to come in for a public hearing we will allow them to do that.

- 3) Dennis McSpirit of Pompton Lakes/Riverdale Little League requesting the use of the Independence Park baseball/softball fields during the period from March 5 through July 31, 2011 for games and practices. The games and practices are held Monday through Saturday with some make up games and practices on Sundays. A certificate of liability will be issued to the Borough of Riverdale for this season's field use as in the past seasons.

Councilwoman Wetzel stated this is the usual request.

- 4) From James Darrar, Supervisor Property Management Section advising that the lease for the DOT property located on Riverdale Road has not been updated since 1987 and should the Borough be interested in continuing with the lease of the NJDOT property for leaf composting, a new lease will need to be entered into. A copy will be mailed out next week and if acceptable, the Council for Riverdale will need a resolution to enter into the lease since the terms of the lease will be different from those of 1987.

CORRESPONDENCE (continued):

Mayor Budesheim stated that he received this in December and they never sent the lease.

COMMITTEE REPORTS:

Councilman Falkoski reported on the matter of the Police Grievance. He stated that the recent talks with the Police have degenerated into an adversarial situation and both sides are creating that atmosphere. I would like to ask the Council's support to create a committee of myself, Councilman Loesner and Councilman Guis to talk with the Police to see if there is any neutral ground and concessions we can make and report back to the Council for their decision.

Councilman Astarita stated he would make that motion and Councilwoman Wetzel seconded the motion.

Mayor Budesheim interjected that we have to give the Police an answer within 20 days of filing a grievance and we have no other meetings.

Borough Attorney Oostdyk stated that with the consent of the Police that time could be extended. You could set up the committee first and then handle the grievance as part of that committee.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to form a committee consisting of Councilmen Falkoski, Loesner and Guis to meet with Police representatives and deal with Police issues.

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

Councilman Guis acknowledged the work the DPW has been doing while we've been fighting the snow. Salt is becoming an issue. We're trying to keep up with it and they're doing a pretty good job. He thanked some of the police officers and asked for further assistance with the residents since the roads are getting narrower.

Councilman Astarita also commended the DPW for the great job removing snow.

MAYOR REPORT:

Mayor Budesheim distributed information regarding sick time for Council review and further discussion.

Mayor Budesheim announced a 10 minute recess at 7:45 p.m.

Mayor Budesheim called the meeting Back to Order at 8:09 p.m.

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

POLICE GRIEVANCE – COMPENSATORY TIME

Councilman Falkoski asked the Police representatives if they would agree to let the new committee discuss the grievance and postpone the grievance until the next meeting scheduled for February 23rd. PBA President Patrick Harden stated that he could not agree to that without speaking to their attorney. Borough Attorney Oostdyk asked Officer Harden to present the grievance. Officer Harden stated the grievance is in the

POLICE GRIEVANCE – COMPENSATORY TIME (continued):

correspondence and paperwork already submitted. Borough Attorney Oostdyk stated that there is nothing more to hear so discussion can be continued through the committee. Councilman Falkoski stated that he would be in touch to set up a meeting.

Mayor Budesheim stated that there is a 20 day deadline for the Council to make a decision. Borough Attorney Oostdyk stated that if the PBA cannot consent to an extension the Council must vote on the grievance. Officer Harden requested the correspondence pertaining to the grievance be removed from the borough website. Councilman Astarita agreed it should be removed and we should allow the committee to deal with negotiations. He also requested clarification of the grievance.

Councilman Loesner stated the biggest issue is that the last few years the entire 108 hours were credited to each 12 hour shift officer in January. We felt that is not the way to do it for several reasons. One is that an officer may not work the 12 hour shift all year. He may leave the department or go out on disability and then you have the issue of how to calculate the comp hours. Originally when the 12 hour shift went into effect, then Chief Ressler used to credit each officer on the first of the month with 9 hours comp time. That was changed and we never got to the point of negotiating how we were going to do that. I personally felt the best way was to go back to the original way. The contract to me is clear on how the comp hours are calculated after that. It worked before and I don't see why it wouldn't now. I think that is the issue.

Councilman Carelli stated that procedurally, because we have the issue with timing, if we were to deny the grievance tonight, they have 5 days to appeal that decision but the committee doesn't have the power to change the decision. He asked what they would actually be negotiating and could we still come to a resolution if we do that. Borough Attorney Oostdyk stated that things can be appealed and resolutions are always possible, but you need a decision on the grievance issue tonight. Councilman Loesner stated that the only thing we can do is deny the grievance. We don't have a choice.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis to deny the Police Grievance of the method for calculating compensatory time.

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

PUBLIC PARTICIPATION NO. 2:

An unidentified resident from Alexan asked for clarification of the method used for water and sewer billing. Sam Dedio and Mayor Budesheim explained the billing format.

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

ALL IN FAVOR.

Councilman Falkoski asked for clarification of the dates pertaining to the police grievance. Mayor Budesheim stated we received it on January 18th which made today last day to respond. It was denied tonight and they have 5 days to appeal to PERC.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:45 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

APPROVAL OF MINUTES DATED:

Regular Meeting - January 17, 2011
 Workshop Meeting - February 7, 2011

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

ALL IN FAVOR.

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 01-2011

**ORDINANCE PROHIBITING PARKING DURING CERTAIN
 TIMES ON ALL STREETS WITHIN THE BOROUGH OF RIVERDALE**

Mayor Budesheim read the notice for the second reading and final adoption.

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

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

ALL IN FAVOR

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 01-2011 as read on second reading at this meeting, be adopted and finally passed.

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

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

ORDINANCES (continued):

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

ORDINANCE 02-2011**ORDINANCE AMENDING CHAPTER 147 AND PROHIBITING THE PLACEMENT OF MATERIALS ON PUBLIC SIDEWALKS WITHIN THE BOROUGH OF RIVERDALE**

Mayor Budesheim read the notice for the second reading and final adoption.

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

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

ALL IN FAVOR

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 02-2011 as read on second reading at this meeting, be adopted and finally passed.

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

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

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

ORDINANCE 03-2011**AN ORDINANCE AMENDING CHAPTER 135 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE,**

Mayor Budesheim read the notice for the second reading and final adoption.

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

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

ALL IN FAVOR

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, **RESOLVED** that Ordinance No. 03-2011 as read on second reading at this meeting, be adopted and finally passed.

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

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

RESOLUTIONS:

Mayor Budesheim stated that he would like to authorize the bookkeeper to pay utility bills twice a month to avoid late fees being charged due to our payment schedule. The amounts will be on the bills list. Councilwoman Wetzel explained the budget for the Easter celebration.

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

- 1) Payment of Claims.
- 2) Payments from Escrow funds for the following Professionals:
 - 1) Darmofalski Engineering Assoc. Alexan/Riverwalk \$230.00
- 3) **Resolution No. 18, 2011**; Transfer of 2010 Appropriation Reserves.
- 4) **Resolution No. 19-2011**; Emergency Temporary Appropriations.
- 5) **Resolution No. 20-2011**; Refund of Tax Overpayment.
- 6) **Resolution No. 21-2011**; Recycling Tonnage Grant Application.
- 7) **Resolution No. 22-2011**; 2011 McARP program.
- 8) **Resolution No. 23-2011**; Refund of Tax Overpayments – Block 40 Lot 3.2208 – Anthony Piccinich - \$680.62 – Year 2009 – State Tax Appeal.
- 9) Additional Payment of Claims:
 - a) Spectrotel Telephone \$ 1,449.16
 - b) Treas. St. of NJ Water Assessment \$ 3,880.00
 - c) Lincoln Financial 2010 LOSAP \$38,131.00
- 10) Authorizing the bookkeeper to pay utility bills two times per month.
- 11) Reject Street Sweeper Bid which was different from the bid specifications and the unit was sufficiently deficient.
- 12) Authorizing re-bid of Street Sweeper with the original bid specifications.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 18-D, E, F, G, H, I AND J.**CORRESPONDENCE:**

- 1) Regarding the letter for request of release of escrow funds by representatives of the Powder Mill Developer previously on the February 7 workshop agenda, the Clerk has been advised by the Borough Engineer that he will be sending a letter recommending that the escrow not be returned until all work required by the NJDEP is complete.

There was no discussion of this matter.

MAYOR REPORT:

Mayor Budesheim stated that he would like to have the changes to the Personnel Ordinance regarding sick time introduced at the next meeting if Council is in agreement. He reported that he has been looking into alternate ways of funding our medical insurance for the employees. He received a quote on being self-insured with Blue Cross/Blue Shield and met with the Personnel Committee and Council President who seem to be supportive of this plan. It could save us upwards of \$250,000 in premiums in a year. The savings come in because we'll be self-insured for the first \$2,500 to \$5,000. Under the PBA contract we have to give them 60 days notice and get their approval.

MAYOR REPORT (continued):

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis, to give notice to the PBA that the Borough would like to implement a self-insured health benefit plan with Blue Cross/Blue Shield.

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

Mayor Budesheim reported on the budget he has been working on with Finance Officer Ken Sesholtz. He distributed copies and stated the line items have been kept the same except for mandatory increases. We have a 3.5% spending cap and a 2% levy cap which means we are able to increase our tax levy by \$90,126 this year. Because of the added ratables we can increase our tax levy by another \$31,890. That's the total amount we can increase our spending. There are certain exclusions to the cap, most notably those expenses that are controlled by the state. The State Health Benefit Plan and the pension costs are increased so our tax levy can go up another \$118,000. This budget that's been prepared with a zero increase across the board, and while removing the two retired police captains' salaries, the amount to be raised by taxation to meet this spending would require \$5,234,000 which puts us \$487,521 over our tax levy. The primary reason for that is our miscellaneous revenues were down by \$700,000 last year so we have to cut. Mayor Budesheim distributed worksheets and explained the expected percentages that need to be cut from each department's budget.

COMMITTEE REPORTS:

Councilman Falkoski reported on the issue of a \$400 per month gas bill for the firehouse. The bays are kept at 52 degrees and there's a timer for the meeting rooms that are usually at 62 degrees. We need to compare the bills with the same period last year. There could be a heat loss issue in the building.

Councilman Guis reported on the Haycock, Mead, Arlington paving project. Grant money will cover the pavement, sidewalks, curbing and we've talked about whether to do the water infrastructure or not. If we want this job done this year we have to make this decision. He reviewed the engineer's cost estimates and recommendations. There was discussion regarding the options and availability of funding. We currently have an open ordinance for water main replacement with \$193,000 left. This work has to get done before the road project.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, to go out to bid for full replacement with two options to repair water infrastructure on Haycock, Mead and Arlington.

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

CLOSED SESSION:

Councilman Falkoski stated that the committee that was formed to negotiate with the PBA has met and came to several conclusions. The attorney has advised that he report the conclusions in closed session since this is a matter of negotiations and attorney-client privilege.

CLOSED SESSION (continued):

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, RESOLVED that the Council go into closed session to discuss a matter of negotiations and attorney-client privilege.

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

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

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

Councilman Falkoski set forth the motion, seconded by Councilman Loesner, RESOLVED that the Borough of Riverdale's agreement to resolve the police grievance and the issues concerning comp time shall be a resolution of grievance and not an amendment to the present contract and shall not be construed as the Borough's interpretation of the contract.

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

COPY OF THE CONCLUSIONS REACHED AND AGREED TO BY THE GOVERNING BODY IN FULL ON PAGE NO. 20-K**PUBLIC PARTICIPATION NO. 2:**

PBA President Pat Harden requested the correspondence pertaining to the grievance be removed from the Borough's website. He also stated that the PBA contract has been altered and therefore they would like that removed or replaced with an unaltered copy.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to remove the PBA grievance documents from the Borough website and replace the PBA contract with an unaltered copy.

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

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:01 p.m.

Respectfully Submitted:

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

CLOSED SESSION**COLLECTIVE BARGAINING – PBA:**

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

The Committee consisting of Councilman Falkoski, Councilman Loesner and Councilman Guis reported to the governing body the conclusions reached at their meeting with the PBA consisting of Chief Tom Soules and Pat Harden and John Barone on February 10, 2011. The conclusions are as follows:

- 1) Present accrued comp time to be used by end of 2012.
- 2) Nine (9) hours of comp time to be awarded each month rather than 108 hours credit at beginning of year.
- 3) A vacation day would be 8 hours regular pay and 4 hours comp time for a 12 hour vacation day.
- 4) A half day vacation would be 4 hours regular pay and 2 hours comp time.
- 5) All future annual comp time awarded would attempt to be used by the end of the year in which awarded.
- 6) If implemented the above conclusions would remain in effect to the end of the present contract.

Mayor Budesheim expressed that this concept is giving the PBA something without getting something in return because if they are using the time during that month you are giving them the time that they have not earned. Mayor Budesheim explained what the reasoning is behind this theory of giving them the 4 hours of comp time during a month then they have not earned the comp time. The committee members disagreed with this and stated that they did not feel they were giving the PBA something they did not earn.

The Mayor and Council also discussed the fact of giving this to the PBA at this point would point to past practices during their next negotiations in 2012. Borough Attorney Robert Oostdyk stated that the resolution could specifically state that this agreement was in answer to the grievance and not an amendment to their present contract. The governing body decided that this how it would be handled.

The governing body expressed the fact that working with the PBA at this point could possibly enable the negotiating regarding the health benefits to result in a positive outcome.

Council adjourns closed session to return to open session.

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

Mayor William Budesheim presiding.

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

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

THE PURPOSE OF THIS SPECIAL MEETING IS TO DISCUSS THE OPTION OF HAVING A MUNICIPAL LEVY CAP REFERENDUM.

Mayor Budesheim stated that it was brought to his attention that if we intended to go to referendum to exceed the levy cap we must have a display ad in the newspaper by Monday. This would keep the door open but not obligate us to put the question on the ballot.

RESOLUTIONS:

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

- 1) **Resolution #24-2011;** Resolution authorizing the publication of a “Notice of Availability of Mail-In Ballots” for the April 27, 2011 Levy Cap Referendum.

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

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

Councilman Guis set forth the motion, seconded by Councilman Falkoski, that any newspaper able to meet the deadline for publication can be used if the Suburban Trends cannot publish the ad by March 7th.

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

ADJOURNMENT:

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

ALL IN FAVOR

Adjourned: 8:10 p.m.

APPROVED:

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

RESOLUTIONS:

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

- 1) Approval of payment for Blue Diamond Disposal invoice for January in the amount of \$2,500.
- 2) **Resolution No. 25-2011;** Refund of Tax Overpayment – Block 37.04, Lot 2, Robert & Marianne Scerbak, in the amount of \$2,487.46, year 2011, Reason-Duplicate Payment.
- 3) Approval of the release of TCR/Alexan Riverwalk’s escrow funds with the exception of \$50,000 to be retained by Riverdale in Escrow for the paving of William Street and engineering administration and inspections.
- 4) Approval to issue a check for the Riverdale Food Pantry in the amount of \$500.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 24-A

Mayor Budesheim asked Councilman Falkoski to get feedback from the Fire Department regarding possible introduction of an ordinance providing for service fees to be paid to the Riverdale Fire Department.

NEW BUSINESS:

- 1) **Ordinance No. 05-2011** for review and consideration. (copy e-mailed to governing body with agenda).

Mayor Budesheim stated this ordinance revises the employee sick time policy. It is for review and possible introduction at the next meeting.

OTHER BUSINESS:

- 1) The rebidding of the Street Sweeper is scheduled for March 17th at 11:00. The notice of bids was published in Wednesday, March 2nd edition of the Suburban Trends.
- 2) The hearing of the approval of the placement of clothing bins at the Walmart parking lot applied for by Amvets – 459 Ridge Road, Lyndhurst, NJ is scheduled for March 21, 2011.

There was no discussion on the above items.

2011 BUDGET REVIEW:

Councilman Falkoski asked why we had \$784,108 less in revenue this year. Mayor Budesheim explained that last year we anticipated \$1.325 million in surplus. To be able use that same amount this year we would have had to generate \$2.65 million. We generated roughly \$700,000 so the surplus is down to \$900,000. We don't have the surplus revenue to offset tax increases. The building department was down \$284,000. He explained how new ratables affect surplus and that surplus was used to keep the taxes from increasing. Mayor Budesheim stated that he asked everyone to start working on their budgets and start making cuts and asked Councilman Falkoski what he had come up with in his department.

Councilman Falkoski stated the salary budget for the Police Department is down almost 5% from last year. You showed me \$303,000 and I don't see how you can cut that a great deal without doing something drastic. The County is creating a dispatching service and Pompton Lakes is also willing to do something like that. The budget for dispatcher salaries is \$211,952 and we pay \$10,000 to Butler for 9-1-1 service. If we outsource with the County they estimate a cost of \$175,000 to \$190,000. Pompton Lakes is estimating \$167,800 and it could be negotiable. That would cut \$52,152 and that is something we might want to look at.

Mayor Budesheim stated that we need to decide tonight. This budget has to be introduced at the next Council meeting and we have to decide if we're going to go to referendum.

Councilman Falkoski stated that was the only thing he could see to do anything with. The only thing you could talk about - and I hesitate to do that and wouldn't want to even think about it - is reducing the force but I don't think that's something we should even consider. If we're going to cut someplace I think other places should be looked at, too. Mayor Budesheim stated that's still \$250,000 short. Councilman Falkoski said the only way to do it is the referendum. Mayor Budesheim asked what we do it fails. Councilman Falkoski said it's up to the entire Council to decide and not just him and asked if anyone else had something.

Councilwoman Wetzel brought up cutting equipment and vehicles.

Councilman Loesner stated that we're definitely looking at a pay freeze for the year. Outside of furloughs I don't see any redundancy in personnel. Furloughs save us only about \$15,000 and a pay freeze \$25,000. Operating expenses being frozen saves \$63,000 so we're looking at not even \$100,000.

Mayor Budesheim stated that the Council has to come up with a budget and there's \$487,000 that has to be cut by law. There was discussion regarding cutting salary and expenses in the Fire Department, additional operating expense and other cuts.

2011 BUDGET REVIEW (continued):

Councilman Loesner stated the only two budgets that have at least \$300,000 are the library and police. You have to reduce head count and the people have to know what it means if they vote down the referendum.

Mayor Budesheim stated that you are talking three patrolmen. Police Chief Soules stated that he wished somebody could explain why we're in this fix. This town was doing great and all of sudden something went wrong. Mayor Budesheim stated that Governor Christie forced a 2% cap on us regardless – no exceptions, nothing. It's not our fault and not one person here wants to make the cuts. Councilman Loesner stated that the town is responsible for picking up the garbage, protecting the citizens and making sure their houses don't burn down. To me, everything else is inconsequential.

PBA President Harden asked for the projected date of the layoffs. Borough Attorney Oostdyk stated that we have to look at the requirement for notice. Councilwoman Wetzel stated that cutting three guys in one department is a lot. Maybe we can find at least one of their salaries in a combination of other departments. We can't ask the Police Department to give up everything and the Fire Department to give up nothing.

Sam Dedio asked if there was any cost to the Borough for the summer concerts. Councilwoman Wetzel stated that there has never been a penny spent out of the town budget for the concerts. Mr. Dedio then stated that anybody on the Council who is receiving health benefits should be informed that they should be taken off. That will save the town at least between \$15,000 and \$20,000. It's not a full-time position for a Councilperson and I think anybody who is on it should come off or pay for it.

Mayor Budesheim announced a 5 minute recess at 8:29 p.m.

Mayor Budesheim called the meeting Back to Order at 8:52 p.m.

Mayor Budesheim stated that he would be working on the budget with Councilman Carelli between now and the next meeting.

Councilman Guis reminded the Council that we have three options on the water line before paving Mead Avenue. His recommendation after speaking again with Engineers Bill Ryden and Paul Darmofalski is to do nothing at this point. Council agreed unanimously with his recommendation.

Councilman Falkoski set forth the motion, seconded by Councilman Guis, to go to referendum to exceed the tax levy cap at the April 27, 2011 election.

ALL IN FAVOR.

Borough Attorney Oostdyk stated that we would have a formal resolution with amounts at the next meeting.

Fire Chief Dam Sturm reported on PEOSH guidelines.

CLOSED SESSION:

Councilman Falkoski set forth the motion, seconded by Councilman Carelli, RESOLVED that the Council go into closed session to discuss a matter of contract negotiations.

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

CLOSED SESSION (continued):

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

ALL IN FAVOR.

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:14 p.m.

Respectfully Submitted:

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

CLOSED SESSION**MARCH 7, 2011****ROLL CALL:**

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

Mayor Budesheim advised the governing body that he had discussed a form of proposal with a committee of the PBA to address the possibility of not laying off any police personnel to address the budget shortfalls for 2011. The items discussed are as follows:

A.

- Forgo the scheduled 2011 raise.
- In 2012 the raise will be the dollar amount scheduled for 2012, or the dollar amount that was scheduled in 2011, whichever is greater. For instance, the scheduled raises for three patrolmen would be greater in 2011 than in 2012. We would give them the 2011 amount in 2012. In 2013 they would get the 2012 raises.
- If the referendum fails, the raise in 2012 will be based on the raise that was scheduled in 2011; the raise in 2013 will be based on the raise that was scheduled in 2012.
- If the referendum passes the raises will follow the collective bargaining agreement.
- The savings in 2011 will be \$102,342 plus social security and workers comp (\$12,800.00).

B.

- Employees will be subject to the state-mandated contribution towards the cost of health benefits. Currently it is one and one-half percent.
- This provision would remain in effect regardless of the outcome of the referendum.
- Savings \$19,600 in 2011.

C.

- Switch to the new proposed health benefit plan. Savings in 2011 will be \$55,000.
- In 2012 the annual savings would be approximately \$225,000.
- This provision would remain in effect regardless of the outcome of the referendum.

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

Mayor Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Carelli, Falkoski, Loesner, Wetzel, Guis**
 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	-	February 23, 2011
Special Meeting	-	March 2, 2011
Workshop Meeting	-	March 7, 2011

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

ALL IN FAVOR.

PUBLIC PARTICIPATION NO. 1:

Terri Pellegrini, 14 Cedar Street asked for clarification of Ordinance No. 05-2011. Mayor Budesheim explained the current and proposed sick time policy for borough employees. Mrs. Pellegrini asked for clarification of resolutions 8 and 9. Mayor Budesheim explained that the grants are for restoration of the Glenburn and the matching funds come out of a trust fund established for this purpose and not the tax levy.

Glenn Venza, 14 Macopin Avenue asked about changes to the health care policy. Mayor Budesheim responded that we are still negotiating with the Police Department on that matter.

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

ALL IN FAVOR.

HEARING AND DECISION TO ALLOW THE PLACEMENT OF CLOTHING BINS AT THE WALMART PARKING LOT FOR AMVETS – 459 RIDGE ROAD, LYNDHURST, NJ. (copy of application, paperwork, & ordinance distributed to governing with agenda)

Mayor Budesheim announced the meeting was open for public participation.

Greg Patavano on behalf of the applicant announced he was present with Howard Vacarella of Amvets to answer any questions.

Mayor Budesheim inquired as to the number of bins, how often they will be emptied and if we have contact numbers. Mr. Vacarella replied there are 4 bins that will be emptied 3 times per week and there 2 phone numbers.

Councilwoman Wetzel asked about disposal of the goods collected. Mr. Vacarella replied that the used clothing is brought to a warehouse in Bergen County, compressed into bales and shipped all over the world as second hand clothing.

PUBLIC HEARING – AMVETS (continued):

Councilman Astarita asked what percentage of profit goes to the American Veterans. Mr. Vacarella replied that Amvets receives between \$50,000 and \$75,000 per year from clothing sales. Percentages change greatly as clothing prices fluctuate in third world countries.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Falkoski, to approve Amvets application for Placement of Clothing Bins at the Walmart Parking Lot.

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

ORDINANCES:

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

ORDINANCE 05-2011

AN ORDINANCE AMENDING CHAPTER 45 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE,

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 30-A

RESOLUTIONS:

Councilwoman Wetzel asked if matching funds were required for Resolution No. 12. Mayor Budesheim replied that there is no matching requirement. Councilman Astarita asked for the cost of the elevator. Mayor Budesheim replied that the \$80,000 grant should cover the elevator and complete installation.

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

- 1) Payment of Claims. (including following)
 - 1) Bromilow Chocolates - Easter Breakfast \$200.00
 - 2) Anne Gould – Reimbursement for Bowling Celebration \$ 38.47
- 2) Payments from Escrow funds for the following Professionals:
 - 1) Darmofalski Engineering Assoc. Alexan/Riverwalk \$115.00
- 3) **Resolution No. 26-2011;** Authorizing the application from the State of New Jersey in the amount of \$6,225.44 to fund the purchase of fire equipment and training and to authorize Pat Cleary as the grant administrator.
- 4) **Resolution No. 27-2011;** Emergency Temporary Appropriations – 2011.
- 5) Authorization of the solicitation of “Poppies” by the VFW at local establishments in the Borough of Riverdale such BJ’s, Wall Mart, etc.
- 6) Authorization of the release of escrow funds held for Bradco Supply verified to have been merged with ABC Supply Co., by the Municipal Clerk. The amounts of release are \$6,528.05 and 147.83 held in two separate accounts.
- 7) Review & approval of Statement of Values for properties owned and insured by the Borough of Riverdale.

RESOLUTIONS (continued):

- 8) **Resolution No. 29-2011;** Authorization of application for a Non-Construction Grant to the Morris County Historic Preservation Trust Fund in the amount of \$10,000 with at \$8,000 grant amount and a borough match of \$2,000, and authorizing Mayor Budesheim to endorse the grant application.
- 9) Authorization of an application for a Construction Grant to the Morris County Historic Preservation Trust Fund in the amount of \$285,805 with a \$228,644 grant amount and a borough match of \$57,161, and authorizing Mayor Budesheim to endorse the grant application.
- 10) Approval of ad to be placed on the VFW Pancake Breakfast placemat in the amount of \$25.00.
- 11) Approval of Engineering Budget for the preparation of plans for submittal to NJDEP for Permits in conjunction with Pompton Lakes for the de-snagging and de-silting of the Pequannock River.
- 12) Approval of a proposal for Architectural Services to perform a Preliminary Design, Provide Construction Documents and perform Contract Administration for a new elevator at the Riverdale Senior Community Center to be performed by James P. Cutillo, 21 Mountain Avenue, Pompton Plains as follows:
 - 1) Preliminary Design \$1,200.00
 - 2) Construction Documents \$3,600.00
 - 3) Contract Administration @ an Hourly Rate \$ 150.00 out of office
\$ 125.00 in office

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 31-B, C, D AND E

UNFINISHED BUSINESS:

- 1) Decision on 2011 Levy Cap Referendum – April 27th Election. Possible Resolution No. 28-2011.

Mayor Budesheim stated that we need to make a decision tonight because the school is waiting for our decision.

Councilman Carelli stated he is not in favor of this for a number of reasons. With negotiations we should be able to get to the cap.

Councilman Falkoski asked if we have any numbers to indicate how we'll be able to meet this without going to referendum. Councilman Carelli stated he has been working on the numbers and the Mayor who will discuss it further.

CORRESPONDENCE:

- 1) From the VFW Post 8096 thanking the Borough of Riverdale for its past support along with an invitation to attend their pancake breakfast to be held on April 10, 2011.

There was no discussion on this matter.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that Morris County has been asking if we're having a referendum because they advertise the hours of the election. Borough Attorney Oostdyk stated that all we can tell them is as of tonight we are not.

MAYOR REPORT:

Mayor Budesheim stated that we should evaluate the value of the borough owned properties. Councilman Guis stated that it could be done through an appraiser or possibly a public adjuster. The Mayor asked Councilman Astarita to look into it.

Mayor Budesheim reported that he has been working with Councilman Carelli on the budget numbers. He distributed a list of items to be cut. The total is \$320,378 and that's still about \$165,000 short of our goal. The Finance Committee will be meeting to close the gap some more. This is a serious and dangerous budget we are cutting it so close. Mayor Budesheim stated that we no longer have the need for a Deputy Fire Inspector and recommended he be terminated.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, to terminate Deputy Fire Inspector Earl Dean effective March 31, 2011.

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

COMMITTEE REPORTS:

Councilman Falkoski asked if it was determined that \$487,521 is a valid number as the amount necessary for budget reductions. Councilman Carelli stated that it is a valid number.

Councilman Astarita apologized for missing the last meeting. He was attending the County Community Development Board meeting.

Mayor Budesheim stated that a number of people are here based on articles that have been in the newspaper which were a true and accurate reflection of things that were discussed at the last meeting. Nobody on this Council recommended that a policeman be laid off. We are doing all that we can to work with the Department to make sure that nobody gets laid off. This is an extremely tight budget and has been for the past 4 years. We have been reducing our O/E budgets by 10 percent every year which is why it makes it so difficult to try and find any more excess funds in this budget. Mr. Carelli and I have been working on it and will continue and hopefully we will have a budget for the April 4th introduction.

Councilman Falkoski asked if we had looked into the transfer of free library surplus that was referenced in the last legislative bulletin. Mayor Budesheim stated that he checked with our CFO and the library does not have that kind of surplus.

PUBLIC PARTICIPATION NO. 2:

PBA President Pat Harden stated that they want to assure the residents they will work with the Council and do the best they can to make sure the officers keep their jobs so the quality of service and your safety stays the same. We're going to work very hard with them and hopefully come up with a solution.

PUBLIC PARTICIPATION NO. 2 (continued):

Dave Desai, 22 Cotliss Road asked for clarification of the amounts for salaries and health benefits in the 2010 budget. Mayor Budesheim responded.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:52 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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:

Councilman Falkoski asked if Resolution No. 2 was a change in ownership. Mayor Budesheim stated that it is. There was discussion regarding a zoning violation at the property reported today by the Zoning Officer exceeding the number of cars permitted. Applicants Tatyana and Sam Levinskaya were present. Councilman Guis asked the applicants what the primary business is. Mr. Levinskaya stated it is Chase Auto Group used car dealership and said the primary business is selling used cars. Councilman Guis stated that is not what the variance given by the Planning Board was for. It was an accessory to the previous owner's primary business of being a car broker. Councilman Loesner was on the Planning Board at the time and explained that it was not approved as a car dealership and they were limited by the board to keeping five vehicles on the property. Mr. Levinskaya asked if he could do the same thing as the previous owner and keep five cars on the property. Councilman Loesner stated this appears to be a change of use and not a change of occupancy. Mayor Budesheim said the Zoning Officer was under the impression it was just a new owner of the existing business. Mr. Levinskaya stated that there are only five cars there now and if you find there are more than five cars you can give me a fine and remove me from there. He assured the Council it is never going to happen again. He said he sells cars on the internet and has storage right now at Aamco Transmission Shop. The cars are brought to the property for the owners to pick them up. Councilman Loesner told Mr. Levinskaya he must adhere to the site plan and restrictions that were filed with the town.

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

- 1) Authorization of sign off on two applications made to the DEP for a "Fish Stocking Permit" in order to release trout into the Pequannock River at Post Lane off the Hamburg Turnpike. Program is school sponsored through the New Jersey Division of Fish and Wildlife and the New Jersey State Council of Trout Unlimited and requires sign off by the Municipal Clerk.
- 2) Approval of a Certificate for Business License for the sale of Used Motor Vehicles for Chase Auto Group at 91 Route 23 South (formerly operated by Any Auto Sales). Site has been approved by the Riverdale Zoning Officer for continued use under a new proprietor and council approval is required to verify that the approval is according to the zoning ordinances of the Borough of Riverdale. (copy of paperwork transmitted to council with e-mailed agenda)

RESOLUTIONS (continued):

- 3) Approval of request from Cub Scout Pack 9038 Pompton Lakes/Riverdale to hold a fundraiser within the Borough of Riverdale called "Flocking". (copy of paperwork transmitted to council with e-mailed agenda)
- 4) Resolution to deny the award a bid received for a street sweeper for the DPW received on March 17, 2011 from Garden State Sweepers, 55 Washington Ave, Nutley, NJ due to budgetary restraints and possibility of unavailability of funds.
- 5) **Resolution No. 30-2011;** Authorize appropriate municipal officials to execute a Developer's Agreement between the Borough of Riverdale and Robin Lahue, as Trustee of Anthony Pio Costa Subtrust B, and Anton Company.
- 6) **Resolution No. 31-2011;** Refund of Tax Overpayments.

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

COPY OF RESOLUTIONS IN FULL ON PAGE NO. 35-A AND B**MAYOR BUDESHEIM APPOINTS SERGEANT KEVIN SMITH ACTING POLICE CHIEF**

Mayor Budesheim stated that the Police Chief is planning to retire effective June 1st and has been asking about his replacement. Our ordinance requires 15 years experience and a Bachelor's Degree preferably in Criminal Justice. Sergeant Smith and Sergeant Danzo meet those qualifications. Sergeant Smith has been the ranking officer and has a Masters Degree in Criminal Justice. I would like at this time to appoint Sergeant Smith as Acting Police Chief through the end of this year with a \$100 per week stipend and no overtime. This will give the Chief time to prepare him for taking over the role and dispel a lot of the concerns that we may be bringing in a Public Safety Director or a shared chief service. This will be a probation period and give him time to prove himself.

Councilman Loesner asked if this falls under the promotion ordinance. Mayor Budesheim stated that it falls within the ordinance but there is no testing.

Councilman Falkoski stated that he supports this but not the way it was done. Being chairman of the Public Safety Committee, it would have been nice to have someone consult me about it before it was made fact. I was concerned about what was going to happen in a leadership position when the Chief did leave and I had heard those rumors about Public Safety Directors which I thought was a bad idea. I support this because of the qualifications of Sgt. Smith and because the Police Department is a quasi-military organization and the normal order of things is that the next senior officer move up into that position, and that would be Sgt. Smith.

Councilwoman Wetzel stated her concern is that we only heard about this through the grapevine. I think as a courtesy to the Governing Body, when we are asked to give our support we should at least know something about it. I'm not against the idea but my concern is a financial one because we are going to be asked to discuss finalizing a budget. We don't have any figures in front of us and the Finance Chairman is not here tonight. I was waiting for follow up from Councilman Carelli so I have no clue whether or not we have met our obligations to balance the budget. We need more information before we can make a decision on another person's position.

Mayor Budesheim stated that if Sgt. Smith is going to be ranking officer you have to pay him ranking officer pay. This is the equivalent of a Lieutenant's pay. This was going to

ACTING POLICE CHIEF (continued):

be discussed tonight but since word got out we felt we should make it a formal appointment.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to appoint Kevin Smith as Acting Chief of the Riverdale Police Department.

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

MAYOR REPORT:

Mayor Budesheim reported that the Township Manger of Pequannock is planning to make an application for a grant for a program with FEMA to buy out the houses on Harrison Road. That is the most flood prone neighborhood in Riverdale and we have five houses there. He asked if we would support this and take part in this program. The homeowners would not be forced to sell but if they want to get out this would be the best way for them to do that.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, authorizing Mayor Budesheim to inform Pequannock Township that we are willing to take part in a program for a grant with FEMA to buy out houses on Harrison Road.

ALL IN FAVOR.

Mayor Budesheim reported that we have vehicles to retire. He requested Council approval to sell them on GovDeals.com and sell one car to an employee for the Blue Book value of \$2,000. Borough Attorney Oostdyk stated that sale would be subject to reviewing the legality.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to authorize Mayor Budesheim to sell a 2006 Chevy Impala, 1998 Chevy Tahoe and 1999 Chevy Tahoe on GovDeals.com and to sell a 2000 Pontiac Grand Am to an employee for the \$2,000 Kelly Blue Book value, subject to Borough Attorney review.

ALL IN FAVOR.

Mayor Budesheim acknowledged Riverdale Recycling and the Riverdale Quarry for their assistance and expertise in assisting the borough with the rock slide on Overlook Drive last Wednesday. We had to put emergency access through to High Street in Butler. Riverdale Recycling donated their equipment to spread the stone and spent the afternoon. The Quarry took pictures and came up with a plan for removing the rocks and stacking them to block any further rock slides. They sent two pieces of equipment and spent the afternoon and we got the road open. That equipment alone would have cost us about \$10,000 to rent.

Mayor Budesheim announced that we found out today we are no longer in the 26th Legislative District. We are now in the 40th and Scott Rumana is our new Assemblyman.

COMMITTEE REPORTS:

Councilwoman Wetzel reported on the World Trade Center artifact we will be receiving.

COMMITTEE REPORTS (continued):

Councilman Falkoski reported that Patrolman LoPorto will be leaving because of the talk of possible layoffs. He has been hired by the Borough of Chatham and I wish him good luck in the future.

OTHER BUSINESS:

- 1) Request from Alexan Riverdale – Riverdale Road – to authorize Mayor Budesheim to endorse a letter from TCR to Morris County Engineering Department confirming that the Borough of Riverdale is not ready to install and monitor the traffic signal at the intersection of Newark Pompton Turnpike and Riverdale Road (CR 651). (copy of letter transmitted to council with e-mailed agenda)

Councilman Falkoski asked if this was valid. Mayor Budesheim stated that we haven't seen a need for it.

- 2) Request from Chris & Mandy Natoli, 72 Riverview Terrace, requesting permission for a curb cut due to construction of an attached garage which will cause the existing curb to interfere with pulling straight into the garage. (copy of print submitted, transmitted to council with e-mailed agenda)

Mayor Budesheim stated this is a very small piece to straighten the driveway. Councilman Falkoski stated that in looking at the plan the site is non-conforming and they will need a variance for the garage. Councilman Guis stated the foundation is already in so they must have gotten their variances and building permit.

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

- 1) Authorizing Mayor Budesheim to endorse a letter from TCR to Morris County Engineering Department confirming that the Borough of Riverdale is not ready to install and monitor the traffic signal at the intersection of Newark Pompton Turnpike and Riverdale Road (CR 651)
- 2) Approving request from Chris & Mandy Natoli, 72 Riverview Terrace, for a curb cut due to construction of an attached garage which will cause the existing curb to interfere with pulling straight into the garage, provided variances and building permit have been obtained.

ALL IN FAVOR.

- 3) Garbage collection for small businesses.

Mayor Budesheim stated that these businesses put out one or two pails for collection. The ordinance doesn't address it. Borough Attorney Oostdyk stated that our practice has been to accept only residential in our municipal garbage collection. Councilman Guis stated that from the trash hauler's perspective it's sometimes hard to tell. We have small businesses that look like residences and buildings that have businesses downstairs and apartments upstairs. Some valid points were raised by one of our small business owners. These small businesses for the most part draw very little in the way of services and he wants to know why they can't put out two garbage cans. Borough Attorney Oostdyk stated that if we're going to re-examine the issue we should have an ordinance before us to discuss. Borough Attorney Oostdyk will obtain some draft ordinances for review.

PUBLIC PARTICIPATION NO. 2:

An unidentified resident expressed concern about how you would define small business. Borough Attorney Oostdyk stated these are discussions we will have when we look at this.

An unidentified resident suggested limiting garbage pickup to retail-professional with square footage limits.

An unidentified resident inquired about the road underneath the bed of the access road in the Overlook section. Councilman Guis stated that they couldn't find it. We will meet the residents to see if they would be amicable to paving that road.

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

ALL IN FAVOR.**UNFINISHED BUSINESS:**

- 1) Final decision on 2011 Levy Cap Referendum – April 27th Election.

Borough Clerk Talerico asked if there would be a referendum. Mayor Budesheim replied that there would not.

Councilman Falkoski asked if we would be discussing the matter. Mayor Budesheim stated that we decided at the last meeting that we weren't going to referendum. Councilman Falkoski stated that we hadn't decided, just that we wouldn't do it at the last meeting. Mayor Budesheim stated that we would need to have a budget presented tonight. Councilman Falkoski asked how we know we don't want to go to referendum. Mayor Budesheim stated that at the last meeting no one spoke in favor of going to referendum. Councilman Falkoski recalled that at the last meeting someone wanted to make a motion to not go to referendum and I confirmed with the attorney that if we didn't make the motion would be still have the option. Borough Attorney Oostdyk stated that you do.

Councilman Falkoski stated that if we can't meet our cap what does that mean for the town. Mayor Budesheim stated that you will have to cut. Borough Attorney Oostdyk stated that there will be no alternative - you will have to meet the cap if you're not going to referendum. Councilman Falkoski stated that the action to be taken to meet that cap could be drastic. We may be talking about layoffs. I have problems every year with the budget session – I'm the one who looks for more information that we really get. I think this year has been the worst experience I've ever had going through budget deliberations because we've really had none. We're supposed to introduce the budget before April 8th if we're going to referendum. We don't even know if it's possible to not go to referendum. If it means layoffs I think we should still have the option of going to the referendum and letting the citizens decide whether or not they want layoffs or pay a little more. That's the purpose of the referendum. Councilman Falkoski and Mayor Budesheim disagreed about the budget process. Councilman Falkoski stated the budget process is sitting down with the department and going over the budget line item by line item.

Councilwoman Wetzel stated she has an issue with what's going on with regard the budget. I reached out to Councilman Carelli after every budget meeting and his answer to each of my questions was "we're working on it". When I asked him to clarify who was working on it he said "Bill and I". He has not asked us for any input over the last few weeks and I personally made some suggestions with regards to cuts. I made it

UNFINISHED BUSINESS (continued):

perfectly clear at one of the meetings I didn't think the answer to the budget problems was decreasing any one department. It was never addressed. Mayor Budesheim stated he handed out sheets at every meeting with suggested cuts and no one said whether they agreed with them or not. Councilwoman Wetzel stated that she told Councilman Carelli she was not comfortable walking into another meeting to approve a budget without having figures in front of her. His answer was he didn't have any because Bill is still working on the numbers. He was going to meet with the Police to work on the \$150,000 deficit and we were waiting to hear the result of that. I called he said he didn't meet with them and we're still \$150,000 short and Bill is working on it. Mayor Budesheim stated the no one ever called him. Councilman Carelli hasn't met with the police; he's been extremely busy at work and is away this week so there's nothing to vote on tonight. Councilwoman Wetzel stated we are all still in the dark with regard to these numbers and a solution and the implication is we are not making any progress because we are not doing anything. That is all the information I have with regard to this budget. Mayor Budesheim said she should have called him. He explained his budget and said he's within \$65,000.

Councilman Loesner stated that after the last meeting he felt confident we were going to meet the cap without a referendum. The PBA was hesitant to agree with anything because the numbers kept changing and they wanted specific numbers. I'm more than confident we can meet the cap. Mayor Budesheim agreed.

Fire Chief Dan Sturm asked why the Fire Department had a \$2,000 cut in salaries and \$5,000 in O/E. Mayor Budesheim explained the \$2,000 cut in salaries brought the appropriation down to what we spent last year. The \$5,000 was money needed from the O/E budget. We're not cutting anyone's salary. Chief Sturm was concerned with the amount budgeted for clothing allowance since they have three new members. That's 13% and no one else was cut even close to that. Mayor Budesheim stated that DPW/Streets and Roads was cut almost 20%. Chief Sturm said that with the department size and money they bring in they won't be able to operate. He doesn't understand why the salary cuts aren't an even number across the board. Mayor Budesheim told him it can't be even. Every department was cut something. Chief Sturm said the Mayor and Council only got a 3% cut. Mayor Budesheim stated we have to cut \$487,000 out of the budget. Fireman Jack Norton asked if anything was cut from the OEM salary budget.

Resident Joan Garcia stated the Fire Department is probably the only place where we can ask the citizens to come up with more money without raising their taxes. Nobody wants the Fire Department cut and if we put it to the citizens I think we can raise \$8,000. She offered to help with fundraising.

Councilman Falkoski stated that it is confusing that the list showing the amounts cut doesn't show how much remains in each budget.

Police Officer John Barone asked the Mayor and Council why they were against the referendum. Mayor Budesheim stated that he personally didn't feel it would pass and it would cost about \$4,000. Councilman Loesner replied that once the number came down to around \$150,000 and Councilman Carelli was confident we would make it without drastic reductions, I felt comfortable not going for the referendum. I agree with the Mayor that it wouldn't pass. Officer Barone commented that a change in the health care plan was included in the budget but the police committee has not met to discuss it. Councilman Loesner said that Councilman Carelli has the numbers we need and we also want more information on the proposed health care plan. Councilman Guis stated that he is also against the referendum. I think it will go down, it's expensive and we're confident we'll get through this. There was a discussion regarding who would be on the committee to discuss issues with the PBA.

UNFINISHED BUSINESS (continued):

Resident Brendan Magennis asked Mayor Budesheim for a summary of what constitutes the \$487,000 we need to cut from the budget. Mayor Budesheim explained the cuts and responded to his questions regarding the budget process.

An unidentified resident stated that we should try going to referendum to keep everything in tact. Another resident asked what the Glenburn costs the taxpayers. Mayor Budesheim stated that nothing comes out of this budget; it comes from grants and a trust fund. The resident suggested the town investigate parking meters.

Fireman Mike Norton asked about cuts to the OEM Budget and salary. Mayor Budesheim stated that \$3,500 was cut from \$5,500 O/E and salary was cut \$225 from \$14,400. Mr. Norton stated he's been with the Fire Department a long time and speaking as a resident has seen no action from the OEM in this town. He asked who gets that salary. Mayor Budesheim replied that he does. Fireman Jack Norton stated that if any place should be cut, the OEM is non-existent. Our Fire Chief patrols the town. Resident Joan Garcia stated she is on the CERT team and was patrolling with the Mayor during the last flood. Jack Norton stated that for the salary the OEM people are taking the taxpayers are getting short cut. He said this is a problem we've had in this town that should have been addressed a long time ago.

Councilwoman Wetzel stated that legally we need to have an OEM and that budget was one of the specific line items she discussed with the Finance Chairman and received no follow up.

Brendan Magennis commented that recently other positions have become paid positions. For one, you have a recreation person that's being paid. In years gone by someone volunteered to do that work. Councilwoman Wetzel stated that recreation is her department and was her volunteer job almost 28 years ago. She explained how the department runs today and that Mrs. Carelli gets paid to oversee the Community Center. Mr. Magennis said that it should be a self-funding operation.

An unidentified resident stated that if there would be layoffs involved, the right thing to do is put it to referendum.

Mike Norton asked how many members of the Council receive health benefits. Mayor Budesheim replied none. Two received health benefits last year and the savings is about \$25,000.

Members of the Fire Department requested a meeting with Councilmen Falkoski and Carelli to go over their budget before the next meeting.

Councilman Loesner set forth the motion, seconded by Councilman Guis, not to have a referendum to exceed the 2% tax levy budget cap.

ROLL CALL: **Ayes: Loesner, Guis**
 Nays: Falkoski, Wetzel
 (2 ayes – 2 nays – motion failed)

Borough Attorney Oostdyk clarified that the motion did not pass. You would need to have a budget and have a special meeting in order to go to referendum.

Councilman Falkoski stated for the record that he would like to see us go to referendum.

UNFINISHED BUSINESS (continued):

Resident Joan Garcia stated she would want to know who we're laying off before voting on a referendum.

Brendan Magennis said he'd rather lay off recreation jobs than police.

Councilwoman Wetzel stated that we are chipping away at a very large number. There are places that can still be cut hopefully without any layoffs.

Councilman Loesner stated he is very confident we will work something out without laying off anyone. Councilman Guis agreed.

Mrs. Garcia asked if there were any more ratables coming for next year or anything that can be put off for this year. Mayor Budesheim replied there were no ratables coming on. We do have hundreds of thousands of dollars in ratables we're losing in tax appeals. Mayor Budesheim explained the circumstances that have lead to us being in this position with the budget this year. If we had been having tax increases every year we wouldn't be in this position.

Fire Department members questioned the recreation director's salary. Jack Norton stated that he did not want his tax dollars to pay for parties at the Community Center. It should be profitable and pay for itself or we should close it. Councilman Loesner stated the Senior Community Center gets used more than any other building by almost every citizen of this town. Mr. Norton stated the seniors could meet in another building and we should raise the fees. Mayor Budesheim stated that we just raised the fees and if we eliminate the recreation director position it would shut down the Community Center.

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

ALL IN FAVOR.

Adjourned: 9:40 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Carelli, Falkoski, Loesner, Wetzel, Guis**
 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 - March 21, 2011
 Workshop Meeting - April 4, 2011

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

ROLL CALL: **Ayes:** **Astarita, Carelli, Falkoski, Loesner, Wetzel, Guis**
 Nays: **None**
 Abstain: **Astarita, Carelli (April 4, 2011 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, that the public portion be closed.

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 05-2011

**AN ORDINANCE AMENDING CHAPTER 45 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. 05-2011 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 43-A

RESOLUTIONS:

Mayor Budesheim explained that we need to approve the Morris County Multi-Jurisdictional Hazard Mitigation Plan in order to be eligible for FEMA grants.

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

- 1) Payment of Claims.
 - 1) Attached Utility Payments per blanket resolution of governing body.
- 2) Payments from Escrow funds for the following Professionals:
 - 1) Anderson & Denzler Assoc. Alexan/Riverwalk \$194.40
 - 2) Anderson & Denzler Assoc. Alexan/Riverwalk \$398.01
- 3) **Resolution No. 32-2011;** Resolution Supporting the Application of RER Supply for Inclusion in the Morris County Solid Waste Plan for a Class "B" and Class "C" Vegetative Waste Transfer/Processing Facility.
- 4) Approval of a purchase of solid base material to repair Sky Ball's driveway in the amount of \$2,800 from Panoramic contractor. (request received from the office of Paul Darmofalski)
- 5) **Resolution No. 33-2011;** Emergency Temporary Appropriations.
- 6) **Resolution No. 34-2011;** Refund of Tax Overpayments.
- 7) Approval of comp time pay out for Anthony LoPorto for 184.75 hours for a total of \$7,156.04.
- 8) **Resolution No. 35-2011;** Approving the Morris County Multi-Jurisdictional Hazard Mitigation Plan.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 43-B, C, D E AND F

CORRESPONDENCE:

- 1) From the Pompton Lakes Volunteer Fire Department stating they will be celebrating their 110th anniversary with a parade and celebration on Saturday June 11, 2011, beginning at 12 p.m. A request is being made for the use of Riverdale's showmobile for their festivities in Hershfield Park. (for Council's information the showmobile has already been booked for this date)

Mayor Budesheim informed the Council of the celebration.

COMMITTEE REPORTS:

Councilman Falkoski reported that a police grievance was filed with the Police Chief on April 12th on the matter of the Appointment of the Acting Chief. The Borough Attorney informed the Police Chief that if he denies the grievance it should be forwarded to the Governing Body.

Councilwoman Wetzels reminded everyone that the Easter festivities will be held Saturday at the Community Center rain or shine.

Councilman Astarita reported that he forwarded the insurance declaration with the increased square footage of the library.

CLOSED SESSION:

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

ALL IN FAVOR.

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

ALL IN FAVOR.

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

MAYOR REPORT:

Mayor Budesheim reported that we have proposals for yard work at the Glenburn. The amount is not to exceed \$9,900 and will come out of the Open Space Trust Fund.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to approve the proposal for yard work at the Glenburn at a cost not exceed \$9,900.

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

Mayor Budesheim reported that the ticket money that goes to the County from the Court System is supposed to be in a trust fund for bridge and road repair. He has been trying to get the county to give some of that back to the towns and they've agreed to pay for the video detection cameras on the Newark Pompton Turnpike.

Mayor Budesheim reported the Municipal Court has been paying about \$170 per month for a copier and the lease agreement has expired. He suggested we return that copier since there are copiers in the main office and building department. Councilman Falkoski said there could be a concern with confidentiality.

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

- 9) Authorizing the Planner to make an application to COAH for the utilization of our trust fund monies for the potential purchase of a property for Affordable Housing purposes, and to authorize the Mayor to be in communication with the property owner concerning our intentions.

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

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:15 p.m.

Respectfully Submitted:

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

CLOSED SESSION:

Roll Call: Present: Astarita, Carelli, Falkoski, Loesner, Wetzal, Guis
Absent: None

Mayor Budesheim addressed the council and advised about the Verizon Building (Newark Pompton Turnpike) owner's appeal of the zoning board denial. The appeal requested to override the zoning officer's denial of the use to have 400 cars a month at the site and that they felt it was not properly denied. Mayor Budesheim stated he had met with Assemblyman Alex DeCroce who may have a purchaser to convert to an office building instead. The other possibility for the site, which would be a good one, is for the Borough to buy at a price of \$650,000 at a firm offer to come out of the Borough's Affordable Housing Trust Fund that has approximately \$1.3 million dollars in it to date. The Borough Attorney has been in touch with Bob Michaels our COAH Planner, and the only thing Bob Michaels has not prepared for the town is a spending plan. We could commit to build affordable housing and if RCA's are permitted we could sell half of them. If the housing is not used the borough could reimburse the trust fund. The market is down and this is a good price and if we wait we could lose the opportunity, and could also sell to a re-developer and put the money into construction of not for profit. Mayor Budesheim stated that he would ask the council to pass a resolution to authorize the intent for Bob Michaels to prepare the application for this process, when the closed session is reopened.

Councilman Carelli handed out a spread sheet for the budget to help explain how the gap could be closed in the budget with regard to the police without knowing if they are going to agree to amend their contract and if the ideas are alright with the governing body. A meeting with the PBA concluded that there is a possibility they will agree to pay the 1.5% towards their health benefits before the close of their current contract. They also may agree to forgo their holiday pay which is 6 hours instead of having furloughs.

Adjourn Closed Session.

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

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

PRESENTATION OF PROPOSED NEW MEDICAL INSURANCE PLAN FOR EMPLOYEES:

Mayor Budesheim stated that Mr. Ken Fisher and Mr. Larry Conforte have been invited to give a summary and answer questions regarding the proposed plan. Mr. Conforte explained how rates are determined and that we chose Blue Cross because it is the same network the employees have now. The plan the Mayor looked at is the Health Reimbursement Account which has a partial self-insurance and the carrier becomes the insurer at a certain point. Mr. Fisher gave a presentation comparing proposed employee premium contributions. He emphasized the cost savings with the proposed plan compared to the current plan. Mr. Conforte explained how a Health Reimbursement Account works, gave a summary of the benefits and answered questions from the Council.

Councilman Guis had concerns with administration and handling of the paperwork and wants to compare other plans. He was also concerned with potential liability. Councilwoman Wetzel stated the plan is very confusing. Mr. Conforte stated that these rates are much lower than current rates and said you don't save that amount of money without making some changes. Councilwoman Wetzel asked what the pros and cons of this plan are. Mr. Conforte stated that the cons are you have a higher maximum out of pocket expense, more expensive office visits and more cost sharing for hospital stays. The pros are for the first \$2,000 you get 100% care and the biggest plus is for the town because there's so much savings. Councilman Carelli asked how much commission was built into the rate. Mr. Conforte stated this pays 4.2% or 4.4% commission. It is regulated by the insurance company whether you use a broker or not. The administrative charge for the third party processor is about \$350 per month. Councilman Carelli asked for a detailed comparison sheet for the plans which Mr. Conforte said he would provide. Councilman Carelli asked if this plan has been implemented in any other municipalities. Mr. Conforte replied that he has not and Mr. Fisher replied that there is one in Bergen County that we can contact.

Mr. Conforte and Mr. Fisher answered questions from employees in the audience. Officer Pat Harden stated that from the last presentation this plan is not as good as our current plan. Mr. Conforte stated that it is not as good. It is totally different than your current plan. Mr. Fisher stated that you have the same network but it is different. There are pros and cons. You don't save \$250,000 without change.

RESOLUTIONS:

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

- 1) Utility Bills List.
- 2) **Resolution No. 36-2011;** Authorizing continuance in the New Jersey Intergovernmental Insurance Fund for a term of three years commencing on January 1, 2011 through December 31, 2013. (Workman Comp and Liability Insurances)
- 3) **Resolution No. 37-2011;** Tax Appeal Settlement – Belyea.
- 4) **Resolution No. 38-2011;** Emergency Temporary Appropriations.
- 5) Appointing of Paul Darmofalski as interim zoning officer while zoning officer is out on sick leave.

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

COPY OF UTILITY BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 48-A, B, C AND D

Mayor Budesheim stated that the work is completed on Sky Ball's property and the Borough Engineer has inspected it.

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

- 6) Approving the following payments for driveway work on Sky Ball's property on Mathews Avenue:
 - a) Panoramic Landscaping - \$10,150.00
 - b) Panoramic Landscaping - \$ 2,800.00

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

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reminded the Council to take formal action on the police grievance. He explained that the subject matter was not grievable.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to dismiss the Police Grievance regarding the appointment of Acting Police Chief.

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

COMMITTEE REPORTS:

Councilman Carelli distributed an updated budget for Council review and stated they would like to introduce the budget at the next Council meeting. This is a very tight budget and there are several policy changes the Finance Committee would like for the Council to consider to make this budget work.

COMMITTEE REPORTS (continued):

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to appoint Glen Michael Stevens Jr. as a member of the Riverdale Fire Department.

ALL IN FAVOR.

Councilman Falkoski brought up the subject of a request for the stipend for Police Detective. The contract specifies that the detective shall receive an annual salary in an amount to be determined by the Mayor and Council. He recalls that their used to be stipend given and hasn't seen it in the last few years. He asked the Borough Attorney for his opinion. Borough Attorney Oostdyk stated that if it was eliminated from the budget then it is not an issue. Pat Harden asked if we could find out when it was eliminated.

Councilwoman Wetzel reported on the good job June Carelli and her committee did with the Easter Event.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.**ADJOURNMENT:**

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

ALL IN FAVOR.

Adjourned: 8:29 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Carelli, Falkoski, Loesner, Guis**
 Absent: **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 - April 18, 2011
 Workshop Meeting - May 2, 2011

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

ALL IN FAVOR.

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

Mayor Budesheim stated that Ordinance 06-2011 is to exceed the spending cap; there is no relief from the tax levy cap. Councilman Falkoski asked for clarification of this ordinance. Mayor Budesheim explained there is a 2% cap and with a cost of living adjustment it can go up to 3.5% on the spending.

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

ORDINANCE 06-2011

**CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL
 BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
 (N.J.S.A. 40A: 4-45.14)**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 50-A

RESOLUTIONS:

Councilman Falkoski stated he had questions on a few resolutions. One is the approval of extension of an existing curb cut. Councilman Guis explained that resolution should be removed. It will be denied because that road is being repaved and that work can be incorporated at that time. Councilman Falkoski stated that another one he has a problem

RESOLUTIONS (continued):

with is resolution No. 7. The OEM Coordinator is a \$14,000 a year position and most towns pay about one-third of that salary. To have that term extend through 2013 bothers me. The state law is the term has to be at least three years. I could go along with that through the end of this year and then have it reviewed again. Another thing I would suggest is that resolution be postponed for about a month and we review it again at that point.

Borough Attorney Oostdyk stated it is a statutory three-year term.

Councilman Astarita stated that we all know there's a run for Mayor this year and asked how that will apply if our Mayor should change.

Borough Attorney Oostdyk said it would not matter. In our case the Mayor is also OEM Director but the positions don't go hand-in-hand automatically. If it is a three-year appointment then that appointment would remain.

Councilman Falkoski stated that he thinks the option should be left open until it is known whether the Mayor is going to change. He proposed that the Mayor continue to hold the position as a carryover until we make the decision.

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, that the Council postpone the appointment of OEM Director for a three-year term, and Mayor Budesheim continue to hold the position as a carryover until an appointment is made.

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

The following resolutions were removed:

- 2) Approval of extension of existing curb cut at Mead Avenue side entrance to Marco Cercone's property on 64 Post Lane. (copy of request transmitted to governing body with agenda)
- 7) Appoint Mayor Budesheim as OEM Coordinator, inadvertently left off January appointment list, for a three year term of 2011 through 2013 with confirmation of council.

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

- 1) Payment of Claims.
- 2) Removed.
- 3) **Resolution No. 39-2011;** Refund of Tax Overpayment, Carol Mc Avoy – Block 11, Lot 5.1504, \$1,429.96, 2011 Overpayment.
- 4) **Resolution No. 40-2011;** Approval of Bylaw Amendments to the New Jersey Intergovernmental Insurance Fund. (copy of amendments transmitted to governing with agenda)
- 5) Approval of going to bid for the Haycock-Arlington-Mead Road Improvements, bids to be received on Thursday, June 2nd at 10:00 a.m.
- 6) Approval of Administrative and Executive o/e budget expenditure for 2011 - 1st quarter Code Book supplement at a maximum amount of \$1,100 plus 2% shipping & handling.
- 7) Removed.

RESOLUTIONS (continued):

- 8) Appoint VM Associates, Inc. Vincent Montanino, 111 Howard Boulevard, Mount Arlington, NJ as Borough Auditor for the year 2011, erroneously listed on appointment list as Dickenson, Vrabel & Cassells (previous name of Mr. Montanino's firm).
- 9) **Resolution No. 41-2011;** Refund of Tax Overpayment \$180.89 – Block 29 – Lot 9.114 – Carol Grazioso – overpayment.
- 10) Approval of reimbursement from the Trust Account for the Easter Breakfast to Paul Carelli for purchases made in the amounts of \$107.72 and \$81.28.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 52-B, C, D AND E**OTHER BUSINESS:**

- 1) Garbage pickup for small business under current contract.

Mayor Budesheim stated that just about every business in town has a site plan requirement for garbage removal. There are two or three businesses occupying formerly residential structures and they put out one or two pails a week. It's not practical for them to get a dumpster. With the criteria we have in mind we could allow them to come in and petition to have their garbage picked up and we could evaluate that. There was discussion regarding base criteria. Borough Attorney Oostdyk will work with Councilman Guis to prepare a draft ordinance.

COMMITTEE REPORTS:

No Reports.

INTRODUCTION OF 2011 MUNICIPAL BUDGET:

Councilman Carelli stated the 2011 Municipal Budget represents for municipal purposes a 1.8 point tax increase which is about \$60 on the average house. Overall our appropriations are down 7.5 percent from last year which represents a 9.2 percent decrease in salary and wages. Our operating expenses are down 6.2 percent. It will be a very tight year and we need to find ways to reduce appropriations for next year.

Councilman Carelli set forth the motion, seconded by Councilman Guis, **RESOLVED**, for the introduction of the 2011 Municipal Budget.

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

Public Hearing and Adoption scheduled for June 20, 2011 at 7:30 p.m. To be published in the Suburban Trends Newspaper on Wednesday, June 1, 2011.

COPY OF 2011 MUNICIPAL BUDGET IN FULL ON PAGE NO. 52-F

MAYOR REPORT:

Mayor Budesheim stated that he had been appointed to a committee by the League of Municipalities to study the impact of the loss of the Energy Receipts Tax and the effect it has had on the local budgets. The Energy Receipts Tax is a property tax that up until the 1990's or late 1980's was always collected by the towns. At that point the state said they would collect it and would pass it along to the towns. They are now skimming 55% off the top of all those revenues and disperse the remainder. We worked on a spread sheet and we are sending it to the towns. This year alone Riverdale lost \$403,000 and we were over originally \$487,000 on the budget. You can see the impact that the loss of these revenues has had. In the past five years we've lost \$1.364 million. When you combine that with the state passing along pension increases to the municipalities to bail it out you're looking at over \$2 million. When people want to know where the revenues go from the added assessments, that's where it goes. It's had a horrible effect on the local communities and we're working to get that money back to the towns. It's important that the people realize what we're losing and what we're working under. Five years ago it was only \$78,000 we lost and this year it was \$403,000.

PUBLIC PARTICIPATION NO. 2:

Michael Reilly, 14 Greenwich Street, asked if it was a new law that OEM Director is a three year term. Borough Attorney Oostdyk responded that it has always been a three year term. Mr. Reilly asked why the appointment was being done now and not in January or any meeting prior to this meeting. Borough Clerk Talerico explained that it had been accidentally left off the appointment list in January. The Mayor was notified by the state that they were waiting for a copy of his appointment resolution. He brought it to her attention so it was put on the agenda this evening.

Terry Pellegrini, 14 Cedar Street, asked if there was a Deputy OEM Coordinator and if there was a salary. Mayor Budesheim replied there are two, Ted Guis and Russ Hazel, with no salary. Mrs. Pellegrini asked what the average home is assessed at. Councilman Carelli replied it is around \$350,000. Mrs. Pellegrini asked how we were able to exceed the 2% tax levy cap. Mayor Budesheim explained the state exemptions to the cap. Councilman Carelli explained the tax levy cap.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:55 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

Mr. Dan Salameno stated that he had submitted a written request to use the baseball field at Independence Park for the U11 Riverdale/Pompton Lakes travel baseball team. Councilwoman Wetzel told him to provide a schedule of games and certificate of insurance. As long as the dates do not conflict with the Pompton Lakes/Riverdale Little League or any Riverdale activities the request can be approved.

There being no further 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 06-2011

**CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL
 BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
 (N.J.S.A. 40A: 4-45.14)**

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

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

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

ALL IN FAVOR

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 06-2011 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 54-A

ORDINANCES (continued):

Borough Attorney Oostdyk explained that Ordinance 07-2011 is a routine part of the stormwater regulations requiring municipalities to adopt certain ordinances deemed necessary to protect the water.

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

ORDINANCE 07-2011

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF
RIVERDALE AND ADOPTING CERTAIN REGULATIONS REQUIRED BY
THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION IN
CONNECTION WITH THE DEPARTMENT'S WATER QUALITY
MANAGEMENT PLANNING RULES**

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

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

Mayor Budesheim stated that we received about 23 bids on resolution No. 5. We have a grant for \$475,000 so this bid comes in under the grant and we have enough for inspections and soft costs.

Councilman Guis explained that resolution No. 2 pertains to the three-borough De-Snagging and De-silting Project. The DEP is applying for the general permit and this is required for us to participate.

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

- 1) Utility Bills List.
- 2) **Resolution No. 42-2011;** Flood Hazard Area Permit Authorization.
- 3) **Resolution No. 43-2011;** Support the Proposed Amendment to the Open Public Records Law to Preserve its Original Intent.
- 4) **Resolution No. 44-2011;** Opposition to Senate Bill No. 1351 – Amending the Open Public Meetings Act.
- 5) **Resolution No. 46-2011;** Governing Body to award bid for the Improvements to Arlington Pl., Mead Ave. and Haycock Ave to Pacific Concrete, Nutley, NJ in the amount of \$453,554.91.

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

COPY OF UTILITY BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 55-C, D, E, F AND G

CORRESPONDENCE:

- 1) From U11 Riverdale/Pompton Lakes travel baseball team requesting use of a baseball field at Independence Park for their team. The official schedule is not in place at this time but the games would take place toward the end of June through July 2011. The team would need the use of the field for approximately 6 home practices. Insurance has been purchased for the team and will supply a certificate of insurance to the Borough. It is our intention to maintain the fields during this time in exchange for their use. Thank you in advance for your consideration.

This matter was discussed during Public Participation No. 1.

OTHER BUSINESS:

- 1) An application has been received from Planet Aid to place a clothing bin in the parking lot of 90 Route 23 North for which they have received permission from the property owner. They have been informed of the parameters of the borough ordinance regarding placing of clothing bins and that a public hearing will be held on July 18, 2011 at 7:30 p.m. if they complete the requirements stated in the ordinance.

There was no discussion on this matter.

BOROUGH CLERK REPORT:

Deputy Clerk Forbes reported that it is time to make room reservations for the League of Municipalities Convention. Mayor Budesheim stated that reservations should be made since they can be cancelled until November 9th. Ms. Forbes stated that an employee has inquired whether the Borough would pay for the cost of a pizza luncheon for Chief Soules on his last day of work on June 15th. They estimated the cost to be \$150.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to approve payment of up to \$150 for a pizza luncheon in recognition of Chief Soules' retirement.

ALL IN FAVOR**MAYOR REPORT:**

Mayor Budesheim asked Borough Attorney Oostdyk to set up a settlement conference with all parties for the lawsuit we were served with.

COMMITTEE REPORTS:

Councilman Carelli reported that the fee for summer recreation may be increased by \$100 to \$125 due to the budget cuts in salary and wage for recreation. This may also limit the number of counselors.

Councilman Astarita reported on the Community Development meeting he attended.

PUBLIC PARTICIPATION NO. 2:

Acting Police Chief Kevin Smith stated that the Police Department has been accepting applications for part-time dispatchers. They are down to one part-time dispatcher who is regularly available and the others now have full time jobs. Applicants have been narrowed down to four that he would like to put on our books. Two will require about 30

PUBLIC PARTICIPATION NO. 2 (continued):

hours of training and the other two will need one or two hour of training to learn our computer system.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to appoint the following as Part-Time Dispatchers for the Police Department:

David A. Hanf
Jason Tillson
Eric J. Miller
Joseph G. Scognamiglio

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

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 7:45 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

ROLL CALL: Present: Astarita, Falkoski, Loesner, Wetzol, 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 - May 16, 2011
 Workshop Meeting - June 6, 2011

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

ALL IN FAVOR.

PUBLIC PARTICIPATION NO. 1:

Joan Garcia asked if the budget would be adopted tonight and if the Police Department has accepted and signed off on what was offered to them. Mayor Budesheim stated that if there are no amendments the budget would be adopted tonight. Councilman Loesner stated that he, Councilman Carelli and the Police Department signed an agreement that is a letter of understanding to go through with the budget year. Mayor Budesheim stated that any amendment to a collective bargaining agreement has to be voted on by the governing body. Borough Attorney Oostdyk stated that he believed they are considering it binding but he will look into whether we need to do any other procedures. Mayor Budesheim and Councilwoman Wetzol asked for a copy of the agreement but none was available. Councilman Carelli stated he would forward one to the Borough Clerk. Ms. Garcia asked how you can adopt the budget if the matter is still somewhat unsettled. Councilman Loesner stated that it is settled. An unidentified audience member stated that if it's something the Council needs to vote on then it's unsettled. Ms. Garcia asked if it could be voted on tonight. Mayor Budesheim stated that it could if they have a copy.

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

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 07-2011

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF RIVERDALE AND ADOPTING CERTAIN REGULATIONS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION IN CONNECTION WITH THE DEPARTMENT'S WATER QUALITY MANAGEMENT PLANNING RULES

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

ORDINANCES (continued):

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

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

ALL IN FAVOR

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED** that Ordinance No. 07-2011 as read on second reading at this meeting, be adopted and finally passed.

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

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

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

- 1) Payment of Claims.
- 2) **Resolution No. 45-2011;** Renewal of 2011/2012 Liquor Licenses with the exception of Dexter's Inc. for which a Special Ruling is required.
- 3) **Resolution No. 47-2011;** Refund of Tax Overpayment – Block 40, Lot 2.7113, Barbara Remson - \$182.75 – Year 2011 – Overpayment.
- 4) **Resolution No. 48-2011;** Refund of Tax Overpayment – Block 40, Lot 6.01, Law Office of Glen-David Schwarschild, LLC – 150 North Kings Hwy, Cherry Hill, NJ - \$2,705.40 – Year 2010 – County Board Judgment.
- 5) Appointing of William Budesheim as Emergency Management Coordinator for a three year term commencing 01/01/2011 through 12/31/2013.
- 6) **Resolution No. 49-2011;** Authorization of Budget Self Examination.
- 7) Payment for the following Recreation Trips:
 - a) NJ Jackals Baseball Game Deposit - \$ 353.75
 - b) Land of Make Believe Trip Deposit - \$1,632.00

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 59-B, C, D E AND F**OTHER BUSINESS:**

- 1) Emergency generator located at the Municipal Building needs to be replaced.

Mayor Budesheim stated that the generator is about 35 years old and did not work during the last power outage. There is money in the budget and we declared it an emergency. The price from Zephyr Electrical Construction, Inc. is approximately \$31,000.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Falkoski, to approve the purchase of a new emergency generator from Zephyr Electrical Construction, Inc. at a cost of \$31,000.

OTHER BUSINESS (continued):

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

- 2) **Possible Introduction of Ordinance No. 08-2011;** An Ordinance Authorizing the Execution of a Contract for the Purchase of Block 26, Lot 21.03 from William J. Patterson, Sirubi Enterprises, Partners Doing Business Under the Firm Name of North Jersey Industrial Builders.

Mayor Budesheim stated this property is the old Verizon building. Our contract with them is subject to getting COAH approval but we need the ordinance in place. The money is in a trust fund for this purpose. Borough Attorney Oostdyk stated the ordinance will authorize the execution of the contract. The property owner has agreed to the term that it's contingent upon COAH allowing us to amend our fair share plan to allow the spending of money for this particular purchase.

Councilman Loesner asked whether the fuel tanks were removed or inspected. Mayor Budesheim stated that according to their testimony at the Planning Board they already passed phase II of the DEP test.

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

ORDINANCE 08-2011

AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 26, LOT 21.03 FROM WILLIAM J. PATTERSON, SIRUBI ENTERPRISES, PARTNERS DOING BUSINESS UNDER THE FIRM NAME OF NORTH JERSEY INDUSTRIAL BUILDERS

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 60-G**PRESENTATION BY LAND CONSERVANCY OF NEW JERSEY:**

Mayor Budesheim introduced Barbara Davis, Vice President of Programs at the Land Conservancy of New Jersey, whom he invited to provide information for discussion at the workshop meeting. He stated that we had joined with Pequannock on a FEMA application to buyout homes on Harrison Road but we did not qualify.

Ms. Davis stated that she and David Epstein, President of the Land Conservancy, met with Mayor Budesheim to talk about their land preservation program and flood mitigation work they've been doing in Pequannock Township. The Conservancy is a non-profit located in Montville and they work with towns throughout the state. They are focusing efforts helping towns in the Passaic River Basin address problems with flood control and flood mitigation. She provided packets with information related to Riverdale that included a sample agreement for review and a list of services they provide. She described work they've done with Pequannock for their Riverwalk project along the Pompton River. They've purchased 14 properties and closed a street and their out of pocket costs are born by the Open Space Trust Fund and Green Acres and average 17%. The properties are each about \$250,000 and the municipality has been able to match that with county and state funds. Morris County has held up this project as a model. We've

PRESENTATION BY LAND CONSERVANCY OF NEW JERSEY (continued):

helped Pequannock Township receive \$1,837,900 in grants just for the Pompton Riverwalk project from Morris County and have assisted them with their FEMA application for Harrison Road. Two properties that didn't qualify for FEMA funding are the basis on their 2011 county grant application. The Land Conservancy is looking to get other sources of funding to help buy out those second tier properties that don't meet the severe repetitive loss requirements, and create an interconnected walk.

Ms. Davis answered questions from the Council. There are seven properties in Riverdale on Harrison Road as well as Pan Automotive. The fee is \$12,000 annually and all the towns pay for the service out of the Open Space Trust Fund.

COMMITTEE REPORTS:

Councilwoman Wetzel proposed that the Council change the meeting format. Years ago our first meeting of the month was a workshop meeting and the second was a formal meeting. We later changed that format to have it available to us to vote on issues at both meetings. I think it would serve us and the public better if went back to having a true workshop at the first meeting to discuss the issues and a formal meeting as the second meeting. The Mayor and Council agreed that it was a good idea but will retain the option to take formal action at either meeting if necessary.

The Governing Body decided to change the time of the next workshop meeting on Wednesday, July 6, 2011 to 6:00 p.m.

Councilwoman Wetzel reported on the Summer Concert Series. She made it clear that the concerts are not a budgeted item. This year she made an agreement to showcase four bands that will perform on Wednesdays in July from 7:30 till 9:00.

Councilman Loesner reported that he met with Acting Chief Smith to discuss his manpower proposal and will prepare something for a workshop meeting in the future. He also stated he will represent the Governing Body at the school graduation ceremony.

Councilman Falkoski reported on the Grievance filed by PBA 335 on 4/12/2011. The Borough Attorney determined that this was not something to be grieved since the appointment was for an Acting Chief. Our Chief is retiring as of July 1, 2011. Councilman Falkoski provided the Council with a copy of the procedure that has to be followed for a promotion to Chief. Three of the Sergeants have shown interest in taking the procedure which consists of an oral exam and a personal interview. The promotional committee is comprised of the Mayor, Chief of Police and a member of the Borough Council designated by the Council. Chief Soules is willing to come back and sit on that committee and we would like to schedule this to take place on June 30th.

Thereupon, Councilman Carelli offered the name of Councilman Falkoski as the Council designee to the Promotional Committee for Police Chief. Mayor Budesheim asked if all were in favor.

ALL IN FAVOR.

Councilman Falkoski reported that Acting Chief Smith has researched software to keep track of scheduling, overtime, comp time, etc. He received a quote from Jivasoft Corporation for \$2,800.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Loesner, to approve the purchase of Software from Jivasoft Corporation at a cost of \$2,800.

COMMITTEE REPORTS (continued):

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

Councilman Falkoski reported that Fire Engine 32 had some problems with batteries and they needed to be replaced at a cost of \$1,420.31.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to approve the purchase of batteries for Engine 32 at a cost of \$1,420.31 from the Fire Department Budget.

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

Councilman Falkoski reported that a rock caused a crack in the windshield on the Assistant Fire Chief's vehicle and it was replaced at a cost of \$280.

Fire Chief Sturm reported on additional problems with vehicles that need repair.

Councilman Falkoski reported on the possibility of eliminating the copy machine in the Court office. He stated that they do have to have their own copier due to the confidential nature of what it copied. The choice is to continue the lease and get servicing on the machine, buy out the existing machine at \$1,773, buy a new machine at \$4,642 or take a lease at \$172.28 a month for a 36 month lease or \$132.54 for a 60 month lease. There was discussion regarding the matter and it was decided that Councilman Falkoski will investigate the amount of copying done and see if there is a less expensive machine available.

UNFINISHED BUSINESS:

- 1) Grievance filed by PBA 335 on 4/12/2011.

This matter was addressed during Committee Reports.

Mayor Budesheim announced a two minute recess to set up for a Power Point budget presentation.

PUBLIC HEARING AND ADOPTION OF 2011 MUNICIPAL BUDGET:

Mayor Budesheim gave a presentation of the 2011 Municipal Budget. He explained that we are working within the new 2% levy cap as required by state law for the first time. Some of the areas where we've been trying to reduce spending are shared services and reducing the borough work force. We will continue to do that, possibly restructure health insurance and have gone to alternate utility providers. Overall the municipal rate went up 1.7 points. The school went up .28%, the county went up 1.64% and the borough 3.4%. Of the 1.7 tax points 56% was by state mandate to cover the increase in the state pension cost over our 2% cap. We spent 44% to provide all the borough's needs. The municipal portion of the tax increase for the average assessed house of \$355,000 is \$60.35. We reduced spending from last year a total of 7.4%. About half of our budget is for fixed or statutory expenses. Mayor Budesheim gave a breakdown of budget revenues and explained how surplus, tax appeals, state aid and energy receipts tax affect the budget and tax rate.

**PUBLIC HEARING AND ADOPTION OF 2011 MUNICIPAL BUDGET
(continued):**

Joan Garcia commented on revenues from the Court. Councilman Falkoski stated that the Police Department is down from 18 to 14 members and we've had to eliminate the traffic squad which is why that revenue has decreased.

Mayor Budesheim stated he has some concerns about this budget but there isn't much that can be done due to the 2% cap. One area of concern is using water surplus to make this budget work. Since not all residents are water users that means this budget is being funded in part through surplus in the Water Department. We raised water rates last year to reduce debt service, allow for capital improvements and because the Passaic Valley Water Commission has been increasing water rates 4% each year and the Pequannock River Basin rates are going up. By using this money we are doing much like what the State did in borrowing from another account to pay for today's expenses.

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

Linda Anders asked for clarification of using the water surplus. Mayor Budesheim responded.

An unidentified resident asked if we've looked into accepting water payments electronically. Mayor Budesheim stated that we did and it would cost the borough money.

Linda Anders asked about court revenue from tickets. Mayor Budesheim asked if there was a court report. Councilman Falkoski reported the court report for the month of May. The amount to the Borough for 2010 year to date was \$126,940 and 2011 year to date is \$95,462. The total that came into the court for 2010 year to date was \$318,804 and 2011 year to date is \$237,628. There was a discussion about adding one officer to re-create the traffic squad and how that might affect ticket writing and revenue.

An unidentified resident asked if there was money in the budget to hire another officer. Councilman Loesner stated that they're working on that. It has to be done within the existing budget.

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

ALL IN FAVOR.

Councilman Carelli set forth the motion, seconded by Councilman Astarita, for the Adoption of the 2011 Municipal Budget.

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

COPY OF 2011 MUNICIPAL BUDGET IN FULL ON PAGE NO. 63-A

Mayor Budesheim stated that over the ten years since 2001 we've lost \$1.6 million in state aid and energy receipts tax.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:00 p.m.

Respectfully Submitted:

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

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported on changes the state has made to affordable housing contributions.

COMMITTEE REPORTS:

Councilman Falkoski reported on the test results for the Police Chief applicants. Acting Chief Kevin Smith came out on top and at the next meeting we'd like to appoint him as full Chief. Mayor Budesheim stated he had discussed salary with Acting Chief Smith. Next year as a Sergeant he'd be making \$100,662. We discussed bringing his salary as Chief to \$105,000 effective July 1st and bringing it up to \$120,000 effective January 1, 2012. This will bring him up a little above the contractual rates for Sergeant and Lieutenant. Councilwoman Wetzel had concerns with the salary with regard to the position. She asked if we ever do a probationary period before implementing a full salary. We're already discussing future increases and we don't know what kind of job he's going to do. We're making a big decision and I think it's a very large amount of money. Councilman Falkoski stated he does not recall a probationary period in the ordinance but he intends to review the ordinance and possibly make changes for the future. By statute he has to be paid higher than lower ranking officers.

Mayor Budesheim reported that the DPW accidentally cut down the new trees planted by the Pequannock River Coalition when they were weed whacking. He recommended we replace them using \$500 from Open Space.

Councilman Falkoski reported there are two new appointments to the Fire Department. He also reported that the Fire Department is in the process of putting an outer door on the building. There will be no cost to the Borough but they need Council approval to get their permits.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to authorize building permits to be issued for the installation of an outer door on the Firehouse.

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

Resident Joan Garcia inquired about insurance for the exercise classes at the Community Center. She said they are very well attended and suggested we ask for \$1 from each participant to cover insurance. Councilwoman Wetzel stated that everything done under the offices of recreation is covered under an umbrella of insurance by the borough. We had tried charging \$1 at one time, but the attendance is only high at one class. She will discuss the matter further with the Recreation Director.

Mayor Budesheim told Councilwoman Wetzel that he has been requesting a monthly report on the use of the building and the rentals at the Community Center. He would also like the calendar of the available dates sent to him at least once a week for the website.

Councilwoman Wetzel left the meeting at 6:30 p.m.

Fire Chief Dan Sturm and Ex-Chief Pat Cleary reported on six towns applying for a regional FEMA grant. Pompton Lakes will be the host town submitting the application. The grant would be used for Fast Team Intervention Equipment that will benefit all six towns. The Chiefs had been discussing a formula for cost sharing of the matching funds. Councilman Guis requested details of the equipment that would be purchased with the grant money.

COMMITTEE REPORTS (continued):

Mayor Budesheim stated that we need to review with Chief Soules the payout of sick time, accumulated vacation and comp time we owe him. He has agreed to have it split over the next two years and we should do that by resolution.

Mayor Budesheim reported there is an employee in the Police Department who wants the Borough to pay his dental bills. Borough Attorney Oostdyk asked if we had the request in writing. Borough Clerk Talerico stated that we only have the bill and explained the reason the employee was not enrolled in the dental plan. He had been notified by letter of the timeframe of enrollment and he failed to do so. He has recently completed the enrollment paperwork and is enrolled as of July 1st this year. Borough Attorney Oostdyk stated that he would send the employee a letter.

Mayor Budesheim stated that he verified that the front office copy machine does not store data and said that we are trying to eliminate copy machines.

Councilman Guis reported on the Mathews Avenue paving project. We had an \$180,000 grant and the engineer's estimate is \$188,000. We have to award the contract before July 1, 2012. The D.O.T. will not process the grant until we provide drawings and a survey. The engineering and survey cost is \$27,400 on the estimate. The preconstruction meeting for the Mead and Arlington paving project is next Thursday. The Hamburg Turnpike pumping station is almost done.

MAYOR REPORT:

Mayor Budesheim commented on Councilman Loesner's email regarding a committee to look into a new health benefits plan. The Mayor felt there is already a Personnel Committee to do this type of thing and we don't need another one.

Mayor Budesheim reported that we received the \$182,000 grant from Morris County for the Glenburn. This will allow for completing the interior of the house, stabilizing and putting a new roof on the country store.

PUBLIC PARTICIPATION NO. 2:

Glenn Venza asked Councilman Falkoski if the court has an issue with using our copy machine. Councilman Falkoski stated that the court office is isolated. It is inconvenient for them to keep leaving their office and their documents contain confidential information. Mr. Venza also asked about the new batteries and a charger for the Fire Department. Chief Sturm stated that the charger was rebuilt and it was approximately \$400.

Joan Garcia asked if we received any of the flood relief dollars the government was giving out. Mayor Budesheim stated that we didn't apply this year and are still working on getting ours from last year's flood. He said we also need to follow up with Pompton Lakes for the money they are supposed to reimburse us from their FEMA grant. Ms. Garcia asked about the baseball fields being in disrepair. Mayor Budesheim said a resident emailed him saying it appears the fields are abandoned. He said he thought the Little League was maintaining them.

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: 7:07 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

APPROVAL OF MINUTES DATED:

Regular Meeting - June 20, 2011
 Workshop Meeting - July 6, 2011

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

ALL IN FAVOR.

MAYOR APPOINTS KEVIN SMITH AS CHIEF OF POLICE WITH CONFIRMATION OF COUNCIL:

Mayor Budesheim announced that this is a special evening for the Borough and the Police Department. We will be filling the position of Chief of Police and this will be our eighth Chief since Riverdale started in 1923. We had a number of people who were qualified and would have made a good Chief. Tonight it is my pleasure to put forward the name of Kevin Smith. Right now he is Sergeant. He came to Riverdale in 1999, has a Bachelors Degree in Law and Justice and a Masters Degree in Criminal Justice from Rutgers. He is also a graduate of the West Point Military Academy's Leadership and Command School, New Jersey Police Training Commission Certified Police Academy Instructor, graduate of the Morris County Police Academy, and graduate of the Federal Law Enforcement Training Center as U.S. Border Academy. In the past two months he has measured up to our expectations. I am looking forward to working with him, as I did with Chief Soules, and I welcome him and his family here tonight. I am proud to offer the name of Kevin Smith.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, to appoint Kevin Smith as Chief of Police.

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

The Oath of Office was administered to Chief Smith by the Borough Clerk.

Chief Smith thanked the Mayor and Council for this tremendous opportunity and the confidence shown in him. He thanked all the men he's worked with for so many years. I can't say enough about how proud I am to work and serve with you and I look forward to many more good years together. He thanked Chief Soules for his guidance and friendship and his parents, wife and children for their support.

Mayor Budesheim announced a two minute recess at 7:38 p.m.

BACK TO ORDER AT 7:45 P.M.

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

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.**RESOLUTIONS:**

Mayor Budesheim clarified resolutions No. 14, 19 and 25.

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

- 1) Payment of Claims. To include the following:
 1. Christopher Miller - \$340.00 – Karate Clinic
 2. Silk Trading - \$290.00 – Fabric for windows – Bldgs&Grds.
- 2) **Resolution No. 51-2011;** Chapter 159 – Special Item of Revenue and Appropriation - \$174,402.00 – Historic Preservation Trust Fund – Glenburn House – Phase 2b Rehabilitation.
- 3) **Resolution No. 52-2011;** Chapter 159 – Special Item of Revenue and Appropriation – \$8,000.00 - Historic Preservation Trust Fund – Glenburn House – Landscape Study.
- 4) **Resolution No. 53-2011;** Chapter 159 – Special Item of Revenue and Appropriation - \$180,000.00 – State of New Jersey – Department of Transportation – Mathews Avenue.
- 5) **Resolution No. 54-2011;** Chapter 159 – Special Item of Revenue and Appropriation - \$5,943.90 – State of New Jersey – Department of Environmental Protection – Clean Communities Program.
- 6) **Resolution No. 55-2011;** Refund of Tax Overpayments – Scott Barna, 50 Coventry Way, Ringwood, NJ 07456 – 2011 - \$124.33 – Paid Wrong Account.
- 7) **Resolution No. 56-2011;** Refund of Tax Overpayments – Rhoda Griefer Trust, 7695 Silver Lake Road, Delray, FL 33446 – Block 40 Lot 2.8206 - 2010 - \$374.08 – County Board Appeal.
- 8) **Resolution No. 57-2011;** Refund of Tax Overpayments – Samara Gabbay, 8117 Sanctuary Blvd., Riverdale, NJ 07457 – Block 40 Lot 2.8117 – 2010 - \$378.49 – County Board Appeal.
- 9) **Resolution No. 58-2011;** Refund of Tax Overpayments – Paul Yuppa, 8412 Sanctuary Blvd., Riverdale, NJ 07457 – Block 40 Lot 2.8412 – 2010 – \$545.72 - \$545.72 – County Board Appeal.
- 10) **Resolution No. 59-2011;** Chapter 159 – Special Item of Revenue and Appropriation - \$80,000 – Community Development Block Grant – Paterson Hamburg Turnpike Sewer Pump Station Phase II.
- 11) **Resolution No. 60-2011;** Renewal of Liquor License #1433-33-002-002 – Dexter’s, Inc. which has been granted a Special Ruling to Permit Renewal Pursuant to N.J.S.A. 33:1-12-39, which license shall remain inactive and is considered a “Pocket License” due to absence of a premise.

RESOLUTIONS (continued):

- 12) Approval of agreement for professional services with DMC Associates, Inc. Land Surveyors for As-Built Roadway Conditions for Mathews Avenue – between Degraw Road and Route 23 (northbound) in the amount of \$7,400.00, to be charged to Capital.
- 13) Approval of release of escrow funds to Glenmore Management, LLC for Riverdale Square in the amount of \$5,252.02. Release has been approved by Borough Engineer Paul Darmofalski.
- 14) Mayor to Appoint Kevin Smith as Chief of Police with a salary of \$105,000 per year effective July 1, 2011, with confirmation of governing body.
- 15) Mayor to Appoint Robert Fernando LaFalce as a volunteer fireman on the Riverdale Fire Department with confirmation of governing body.
- 16) Mayor to Appoint Frederick William Juhls as a volunteer fireman on the Riverdale Fire Department with confirmation of governing body.
- 17) Approval of the purchase of trees to replace trees destroyed at a cost of \$500 to be paid through open space.
- 18) Approval of application for Regional Grant by the Fire Department as presented to governing body at workshop meeting.
- 19) Approval of payment of sick time, vacation time and comp time to Chief Soules with a payment span of 2 years. Total payment of \$31,496 is for 17 vacation days and 45 comp time days at \$508 per day to be paid \$15,748 in 2012 and \$15,748 in 2013.
- 20) Authorization to go out to bid for Mathews Avenue Paving Project to be funded by the \$180,000 New Jersey Department of Transportation Grant. (funds will be available after approval by the state of Chapter 159)
- 21) Authorization to go out to bid for the Hamburg Turnpike Pumping Station to be funded by the 2008 Community Development Block Grant in the amount of \$80,000. (funds will be available after approval by the state of Chapter 159)
- 22) Authorization of the execution of a contract to Purchase the Patterson, William J. et al – Block 26, Lot 21.03 by the Borough of Riverdale and authorized the Mayor and Clerk to place their signature of said agreement. (purchase of property is authorized by the Adoption of Ordinance No. 08-2011 as previously listed on this agenda)
- 23) Approval of curb cut for Graf of 71 Riverview Terrace. (copy of print distributed to governing body with agenda)
- 24) Approval of expenditure for the emergency road at the Enclave not to exceed \$3,850.00.
- 25) Approval of step increment following the salary and personnel guide established last year to the following DPW employees: Neil DeBonte - \$18.50/hour (\$38,628) effective 08/01/2011 and Shawn Mowla \$1.00 increase for his CDL to \$15.70 per hour (\$32,782) also effective 08/01/2011.
- 26) Approval of Engineering Proposal for Mathews Ave Project for Paul Darmofalski, in the amount of \$35,000. (copy distributed with agenda)

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 71-A, B, C, D, E, F, G, H, I, J AND K

ORDINANCES:

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

ORDINANCE 08-2011**AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF BLOCK 26, LOT 21.03 FROM WILLIAM J. PATTERSON, SIRUBI ENTERPRISES, PARTNERS DOING BUSINESS UNDER THE FIRM NAME OF NORTH JERSEY INDUSTRIAL BUILDERS**

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 Carelli, **RESOLVED** that Ordinance No. 08-2011 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 72-L**OTHER BUSINESS:**

- 1) Request for replacement of windshield due to rock hitting it and cracking by weed whacking being performed by the DPW on 06/24/11 which was presented to the governing body at the workshop meeting by Municipal Clerk has been verified by Steve Schotanus, DPW Foreman that the borough were in fact working at the site at the time the occurrence took place and as reported by Police Officer Famularo.

Mayor Budesheim stated he is still trying to figure logistically how this could have happened. There was a discussion regarding whether the DPW work did in fact cause the damage. Borough Attorney Bryce stated he would review the matter and provide a recommendation.

- 2) Request from Best Buy, Operations Manager Paul Woods, asking to open their store at 5:00 am on November 24, 2011. The company is National and International and as such this early opening is for our entire chain and is advertised in the company's flyer. Thank you in advance for your consideration.

Mayor Budesheim stated that if they make the application and pay the fee then we can consider it.

OTHER BUSINESS (continued):

- 3) Bicycle Touring Club of Northern Jersey Ramapo Rally has noticed the Borough that their yearly bicycle rally will take place on Sunday, August 14, 2011. Some or all of the 800+ participants will ride through Riverdale between the hours of 7 am and 5:30 pm. A certificate of insurance will be supplied to the municipalities. (copy of the correspondence has been forwarded to Chief Smith and Walt Mahon for their information)

Mayor Budesheim stated they have this rally every year.

- 4) The Building Department, due to the increased construction at the Grande, is looking to bring back an inspector for 9 hours a week at \$25.00 per hour.

Councilman Guis stated he has an issue with the number of hours and he will have a report at the workshop meeting.

- 5) Discussion: The need to bring on a new officer for the police department to replace Chief Soules. This would bring the department up to 15 members.

Mayor Budesheim stated that as of last December there were 18 members on the force and right now we have 14. He and Councilman Guis have been reviewing the matter with Chief Smith and it will have to be addressed.

- 6) The NJ Land Conservancy previously made a presentation to the Council regarding flood home buyouts. The Land Conservancy would like to know if Riverdale has arrived at a decision yet. Also have been receiving inquiries from resident.

Mayor Budesheim stated that the buyouts would be for residents on Harrison Road who are most seriously affected by flooding. Unfortunately, Riverdale did not qualify for the FEMA grant for buyouts. Councilman Guis stated that if Pequannock is successful in buying out all of their residents on Harrison Road we may have to assume certain services that they are now supplying right now. Mayor Budesheim will try to obtain more information for further discussion at the workshop meeting.

- 7) Discussion: regarding changing the Community Center Fee Schedule to allow for the collection of some fees for certain exercise classes that charge admission.

Councilwoman Wetzel reported that the Recreation Director confirmed that the exercise instructors have agreed to pay \$1 per person per class back to the Community Center as of August 1st. This will apply to any new programs where a fee is collected and an instructor is being paid. The Director has also updated the calendars for the rentals of the Community Center and Glenburn. Mayor Budesheim stated that we will amend the ordinance for the collection of fees.

CLOTHING BIN APPLICATION/APPROVAL:

- 1) Planet Aid applicant for clothing bin placement is scheduled for this evening for approval of a clothing bin to be located at 90 Route 23 North. (a copy of paperwork has been distributed to governing body with agenda)

Borough Clerk Talerico stated that the applicant is not here. She had requested additional information from them which was not supplied.

CLOTHING BIN APPLICATION/APPROVAL (continued):

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Loesner, to deny the application for clothing bin placement from Planet Aid for lack of completeness.

ALL IN FAVOR**COMMITTEE REPORTS:**

Councilman Guis reported that a DPW employee quit today and we have placed an ad for a replacement.

Councilwoman Wetzel reported on the summer recreation program. Attendance has been excellent. We had 92 children register and 15 summer staffers. There were two out-of-pocket trips that were highly attended. We have had two summer concerts and there will be two more.

Councilman Loesner reported on the health care examination the Personnel Committee will undertake. He will have employees involved so there is not a lot of speculation and rumors. He will report back to the Council with his findings in time for the October workshop meeting.

PUBLIC PARTICIPATION NO. 2:

Bradley Clinton asked whether the discrepancy between the addendum to the police agreement and what was printed in the Trends was straightened out. Mayor Budesheim stated that there is a disparity between what was in the Trends and what actually happened. The parties who signed it agreed to what it did say which is that 1.5% will be taken out of the police salaries effective May 1st through this year. Councilman Loesner stated the article was based on an interview with a PBA representative and did not come from the Finance Committee. Mayor Budesheim clarified the point Mr. Clinton was making is that we reduced the budget amount for salaries and wages based on this amended contract and now the budget numbers aren't reflecting the numbers that we were told in committee and what PBA President Pat Harden said in the newspaper. The Mayor stated that we were going to save \$30,000 in the Police Budget so why would we settle for \$24,000? Councilman Loesner stated there is some discrepancy in what the budget agreement was and what was printed in the paper.

Glenn Venza, 14 Macopin Avenue, stated that we are down four police officers from last year. He asked who pays for police staffing for places like Walmart and if it will affect standard staffing for the town. Councilman Falkoski replied that the company who requests police service pays for it. Officers that usually get assigned are not on regular duty at the time. Councilman Guis stated if there's a problem with performance it's up to the Police Chief to resolve the problem. Mr. Venza asked how much was allocated in the budget for court revenue. Councilman Falkoski stated the number was approximately \$300,000. Mr. Venza stated that the police officers told him they're understaffed and that's why tickets aren't being written and that's why we're going to have a shortfall in our budget of \$300,000. Mr. Venza stated that we need another officer and you have to weigh \$300,000 against his salary. Councilwoman Wetzel stated that one person is not going to bring in that much revenue. She stated that there have been some issues with morale in the Police Department and we should give the new Chief a chance to do his job and address that problem. Councilman Guis stated that the revenue generated by tickets is certainly a byproduct but the whole idea of police work is to make our roads safer. Mr. Venza asked Councilman Loesner if the committee that will look at the health plan will be like a collective bargaining thing. Councilman Loesner stated that the Personnel Committee will do a health care examination for the town and as Chairman of that committee he will choose his own methods.

PUBLIC PARTICIPATION NO. 2 (continued):

Mayor Budesheim commented on the statement made by Councilman Guis that revenue from tickets is a byproduct. We anticipate \$313,000 in court fines in order to make our budget work. When we go down from \$27,000 to \$12,000 in monthly tickets we are looking at a projected shortfall of \$100,000. If we don't want to look at it as a source of revenue then take it out of the budget.

Mr. Venza asked if we are eligible to get a traffic camera on Route 23. Councilman Falkoski stated that would not be a good idea.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:37 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

Lisa Rose inquired as to the status of her request for payment to repair her windshield that was damaged when hit by a rock thrown up from a DPW worker while weed whacking. Councilman Guis stated there is lack of proof and also concern for setting a precedent. Councilwoman Wetzel stated that the Council had discussed the matter at the last meeting and decided that we're not paying for the repair.

Glenn Venza questioned the amount the town is paying for the summer recreation program. Councilwoman Wetzel stated that she didn't have paperwork with her. Councilman Carelli stated the budget was cut about \$9,500 and the town paid about \$6,000 or \$7,000 this year towards salaries for the director and counselors. Everything else was paid for by the fees charged to participants. Mr. Venza stated that there were 92 participants and he feels the entire summer recreation program should be self-sustaining. Councilwoman Wetzel did not agree. She, along with Councilmen Guis and Astarita, explained that the town funds many programs that are not used by everyone and that is what makes us a community.

Bradley Clinton asked if Councilman Loesner had verified the savings on the police budget. Councilman Loesner replied the number is \$24,000.

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

ALL IN FAVOR.

RESOLUTIONS:

Councilman Loesner stated that his understanding is the building inspector was already told he had the job. He does not agree that anyone should be told they will be hired before it's done by resolution of the Council as it puts us in an awkward position. Councilman Guis stated he would defer to the recommendation of the Department Head and will endorse the resolution as amended to 6 hours. The inspector was told a start date with the understanding it had to go through Council approval.

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

- 1) Appoint Michael Tabback as a building inspector to start as of August 2nd for 6 hours a week @ \$25.00 per hour.
- 2) Approval of payment for Hometown Newsletter in the amounts of \$687.75 and \$111.30.
- 3) Utility Bills List

RESOLUTIONS (continued):

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

COPY OF UTILITY BILLS LIST IN FULL ON PAGE NO. 77-A**OTHER BUSINESS:**

- 1) Best Practices Checklist.

Mayor Budesheim stated that we did this last year and the state has made revisions. We need to answer 40 of 49 questions in the way the state has determined they should be answered or we will start to lose what little state aid we have left. He worked with the Finance Officer to review the checklist and found some deficiencies. The questions were addressed as follows:

Have we adopted a Pay to Play Ordinance? (The Borough Attorney will prepare an ordinance for the next meeting.)

Does legal counsel review procurement specifications and sign off on major professional service contracts? (The Borough Attorney will work out a policy with the Borough Clerk. We will also do a resolution stating that we have instructed the attorney to review and sign contracts.)

Our computer system is backed up but data is not stored off-site. (It was decided to check into Optimum for off-site storage.)

Does your municipality require elected officials to attend basic courses? (The cost of the courses exceeds what we would lose in state aid.)

If a vehicle is taken home by an employee the IRS is now demanding that personal use and commuting miles be reflected on the employee's W-2 form. (The Chief of Police is exempt. Councilmen Guis and Falkoski will review regulations defining personal use of vehicles for the Fire Department. We will begin including all non-exempt personal use on W-2 forms.)

Has your municipality established an "Absence from Meetings Policy" for elected officials and board members? (The Borough Attorney will prepare a resolution for the next meeting.)

Are contracts for services over the pay-to-play threshold of \$17,500 awarded using bids or a fair and open process? (Borough Attorney Oostdyk stated we use the fair and open process so the answer is yes.)

Do your municipal firefighters receive annual heart screening in conformance with NFPA Standard 1582, Chapter 7.4-7.7? (Councilman Falkoski will work with the Fire Department to obtain more information on the requirement.)

Does your municipality have a transitional duty program (light duty)? (We currently do not have light duty. Councilmen Loesner and Guis will work to determine what type of light duties might apply to the DPW. Borough Attorney Oostdyk stated that we can create a policy.)

Does your municipality provide annual employment practice liability training? (The cost of the courses exceeds what we would lose in state aid.)

OTHER BUSINESS (continued):

Is your Police Department accredited by CALEA? (We are unable to do this.)

Does your municipality have a formal procedure to ensure that all park and recreation facilities are inspected/assessed periodically to determine whether proper maintenance is being done to ensure safety of the using public? (Councilman Guis stated we do it but it is not formal. We can include it in a procedure manual.)

The municipality and school board should have a "Joint Yearly Open Public Meeting". (This will be arranged.)

- 2) The NJ Land Conservancy previously made a presentation to the Council regarding flood home buyouts. The Land Conservancy would like to know if Riverdale has arrived at a decision yet. Also have been receiving inquiries from residents.

The cost for retaining the Land Conservancy to look into the buyouts on Harrison Road is \$12,000 which can come out of Open Space. The buyouts would be an option for the residents but not mandatory. Mayor Budesheim reminded the Council that if Riverdale houses are the only ones left on that road we will have to take over the snow plowing and maintenance that is currently done by Pequannock. Councilman Guis was concerned that we could have one or two hold outs but said we should start the process. It was decided to have the Land Conservancy send us an agreement.

- 3) Discussion: regarding changing the Community Center Fee Schedule to allow for the collection of some fees for certain exercise classes that charge admission.

Mayor Budesheim stated that we had discussed an ordinance to charge \$1 per person.

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that the DPW Superintendent submitted a list of clothing bins located in town. There are several bins in place that have not been issued a permit. She asked what action should be taken since the ordinance does not specify. Borough Attorney Oostdyk said that the state statute says we can remove bins that are not permitted but it does not give a time frame. It was decided the Borough Clerk will send a letter of notification to either apply for a permit or remove the bins within 10 days or they will be removed by the borough. Clerk Talerico asked if the ordinance could be amended to be more specific. There was a discussion regarding who should be the enforcing officer. Mayor Budesheim stated that right now it's a police ordinance and not a zoning ordinance. Councilwoman Wetzel asked why we are letting anyone else place clothing bins in town for a \$25 application fee when Carecycle pays the borough \$3,000 per year. Borough Attorney Oostdyk will review the state law to see what discretion we have. Councilman Guis suggested a sticker with a permit expiration date be placed on the bins to aid with enforcement. Borough Attorney Oostdyk will review the matter with Clerk Talerico to come up with a process.

Two invoices from English Paving were approved and submitted for payment by the Borough Engineer. The amounts total more than the \$69,227.66 which is left on the purchase order. Councilman Guis stated there was an extra for street signs and new stormwater grates. Clerk Talerico stated that the auditor advised signs weren't supposed to be done because they were not in the original bid package. Councilman Guis said a change order was discussed. Clerk Talerico said it was not put on an agenda for approval. Councilman Guis will check into the matter.

BOROUGH CLERK REPORT (continued):

Best Buy submitted the required application fee to open for extended hours on November 25th and it will be put on the next agenda for approval.

The RAC is having the Art of Food Festival in September and they are applying for a one day liquor license.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to approve a one day liquor license for the Riverdale Art Center Art of Food Festival to be held at the Glenburn on September 13, 2011.

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

A copy of the audit has been distributed to Council mailboxes. At the next meeting there will be the affidavit and resolution stating the Council has at least reviewed the general comments and recommendations.

COMMITTEE REPORTS:

Councilman Falkoski reported that the Fire Department is having problems with some of the hoses. Pat Cleary reported further on the hoses and stated we are 1,100 feet short. The cost is about \$770 a length or \$8,500. Councilman Falkoski reported on complaints from Pat Reese of William Street regarding late night noise from activities at the Alexan apartment complex fire pit area. Mayor Budesheim said we can look at the site plan to see if it is an approved location. Councilman Falkoski suggested we address the tenants association to cooperate and put in some controls.

Mayor Budesheim reported that the patrolman who left is very interested in coming back to Riverdale. Councilmen Falkoski and Carelli will review the numbers to see if we can bring him back by September 1st.

Mayor Budesheim reported on the court office copy machine. 43,000 copies were made in the past 6 years at a cost of \$12,000. That is 28 cents a copy and they could use the front office copier for .9 cents. Councilman Falkoski asked why we are only looking at the court copier. Mayor Budesheim said the court is averaging less than 20 copies a day at \$2,000 a year and the matter came up because the lease is 2 years past its expiration date. The only other copiers are in the Police Department, main office and a tabletop in the Building Department.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to eliminate the copy machine in the court office.

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

Mayor Budesheim reported that we have a grievance from an employee regarding dental bills. He also reported that the owner of Baroque Jewelers has a concern regarding our jewelry ordinance. It requires him to hold gold he purchases for 45 days before he can resell it. The Mayor recommended we rescind the ordinance and go with the state statute requirement of 3 days.

Councilman Guis reported on his meeting with a vendor regarding the CDL requirement to have an in house program. This has been largely ignored among municipalities but

COMMITTEE REPORTS (continued):

there is potential liability if you have an accident. According to the vendor the fines and fees are exorbitant. To put a program in place to monitor employees and set up their files is about \$1,700. After that the annual cost is about \$350 per year which includes everything except the actual testing. They do random checking, pull abstracts, do the review and give training. The initial setup cost is not dependent on the number of vehicles and we can include the Fire Department or Board of Education at no additional cost. Councilman Guis and Borough Attorney Oostdyk stated that this matter needs to be addressed. Councilman Guis will investigate further and report at the next meeting.

Councilman Guis reported on the Arlington, Mead, Haycock road project. We discovered drainage pipe that is completely packed solid with soil and the pipe needs to be cleaned. Two vendors were contacted for prices. National Water Main in Newark has root cutting equipment that will clean it at a cost of \$2,800 a day and the estimate is one day. The original grant should cover the cost.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to approve a change order for the Arlington, Mead, Haycock road project for root cutting and drainage pipe cleaning in an amount not to exceed \$3,000.

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

Mayor Budesheim asked for the status of the pumping station. Councilman Guis reported that the Engineer said there will be no problem getting it done this fiscal year.

Mayor Budesheim stated that we have to put an application in for the road project in September. The streets the Borough Engineer is recommending are Highland, Wilson, Hillside, Halsey, Federal, Newberry and Brown.

Councilwoman Wetzel reported that Summer Recreation is complete and attendance was good. We're working on programs for the fall and winter months. The concert series went very fast and it went well. Mayor Budesheim asked her for a new calendar for the schedule of events and a report on fees.

Councilman Astarita reported that he accompanied the county inspector through the Community Center and he was impressed by the usage.

Mayor Budesheim reported that we had approved a new generator for the police department but the vendor is not willing to get a state Business Registration Certificate. Councilmen Astarita and Guis will review the specifications and look for a new vendor.

Councilman Loesner reported on making changes to the employee handbook. He will do a full review and propose changes each month at the workshop meeting. He also received 12 responses from employees interested in discussing health benefit concerns and possible changes. He will contact the Borough Clerk to set up a meeting.

Police Chief Smith stated that now is a good time to look at our promotional ordinance and he made some suggestions in his report. A proposal for a car plan is also in the report and something we need to think about. He stated that he could not endorse rescinding the jewelry ordinance since it is a useful tool. Forty-five days is a long time but he suggested keeping it at least two weeks or twenty days. Mayor Budesheim asked the Chief to meet with the Finance Chairman to discuss paying off the leased vehicles.

PUBLIC PARTICIPATION NO. 2:

Glenn Venza asked Councilwoman Wetzel if the entire complex where the concerts are held is non-smoking. Councilwoman Wetzel stated that there is a designated smoking section in the back past the concession stand by the bench.

Joan Garcia commended the recreation department for the summer they gave the town.

Glenn Venza commented that Councilman Loesner made an earlier statement that a resolution should be in front of the board for the hiring of the Building Inspector, yet you and Paul made a decision with the police without the resolution of the board. I think you're being disingenuous. Councilwoman Wetzel stated that Councilmen Carelli and Loesner were a designated committee set up to do that. Councilman Loesner stated that a person being hired shouldn't be told they're hired until they are.

Councilman Guis reported that in spite of our horrible winter, snow removal last year was less than the year before for the season. He worked out the reimbursement amounts for plowing at the Grande, Rock Creek and Powder Mill.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:20 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Carelli, Falkoski, Loesner, Guis**
 Absent: **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 - July 18, 2011
 Workshop Meeting - August 1, 2011

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

ALL IN FAVOR.

PUBLIC PARTICIPATION NO. 1:

Dan Sciara, 1 Munn Avenue, spoke regarding a problem with noise at the railroad facility behind Munn Avenue. He stated there is a list of things they were supposed to do by court order prior to opening the facility and they didn't do anything. He asked for assistance in getting the railroad to resolve some of the problems. Borough Attorney Oostdyk stated he would look into the matter.

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

ORDINANCE 09-2011

**ORDINANCE AMENDING CHAPTER 135 OF THE REVISED
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
 ANDS ESTABLISHING FEES FOR CLASSES AND PRIVATE
 PROGRAMS AT THE SENIOR COMMUNITY CENTER**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 82-A

ORDINANCES (continued):

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

ORDINANCE 10-2011

**AN ORDINANCE AMENDING THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF RIVERDALE AND
LIMITING A BUSINESS ENTITY WHICH MAKES POLITICAL
CONTRIBUTIONS TO MUNICIPAL CANDIDATES AND
MUNICIPAL AND COUNTY POLITICAL PARTIES IN EXCESS OF
CERTAIN THRESHOLDS FROM RECEIVING PUBLIC
CONTRACTS FROM THE BOROUGH OF RIVERDALE**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 83-B

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

ORDINANCE 11-2011

**ORDINANCE AMENDING THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF RIVERDALE AND
ESTABLISHING A POLICY SETTING AN ABSENTEE
THRESHOLD FOR BOROUGH BOARDS, COUNCILS, OR
COMMISSIONS**

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

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

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

ORDINANCE 12-2011

**ORDINANCE AMENDING CHAPTER 168 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
AND AMENDING CERTAIN PROVISIONS APPLICABLE TO PO-
1 THE PROFESSIONAL OFFICE DISTRICT 1**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 83-D

RESOLUTIONS:

Councilman Falkoski recommended we amend section 6 of Chapter 128 “Precious Metals, Gems, and Jewelry Dealers”. The ordinance currently states that disposal within 45 days from purchase is prohibited so items are available for police investigation if requested. He recommended changing the wait period to 20 day which the Police Department agreed is a reasonable timeframe. There was a discussion regarding the requirements and purpose of this ordinance.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, that the Borough Attorney draft an ordinance to change the time period in Section 128-6 from 45 days to 20 days.

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

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

- 1) Payment of Claims. Including the following for Recreation:
 1. National Fencing Alliance - Fencing Instructor - \$320.00
 2. June Carelli – Movie Night Supply Reimbursement - \$ 97.72
 3. June Carelli – Replenish Petty Cash - \$ 42.48
 4. Krista Osborne – Reimbursement of Camp Supplies - \$275.55
 5. Jordan Transportation – Camp Day Trips 7/18 – 7/28 - \$3,710.00
- 2) **Resolution No. 61-2011;** Certifying the Governing Body has reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “General Comments & Recommendations” as evidenced by the group affidavit form. (governing body to sign group affidavit form for submittal to DCA)
- 3) **Resolution No. 62-2011;** Establishing a Policy for Attorney to Review Procurement Specifications & Sign off on all Major Professional Service Contracts before Documents are signed.
- 4) Approval of the purchase of 1100’ of hose for the fire department at a cost of \$8,500, to be charged to Capital F.D. Vehicles & Equipment.
- 5) **Resolution No. 63-2011;** Best Practices Inventory consideration of the Governing Body at a Public Meeting for certification by the Borough Clerk to the Division of Local Government Services.
- 6) Authorization of Best Buy Companies request for early opening at 5 am on November 25th, 2011, fees have been received.
- 7) Governing Body to declare items of inventory as no longer useable by the Borough of Riverdale and authorize Chief Smith to dispose of these articles, all items are worth less than \$5,000 a piece per borough inventory regulations. (copy of list transmitted to governing body with agenda)
- 8) Approval of a second curb cut at 12 Mead Avenue for construction of a new driveway. The homeowner has applied for a road opening permit and provided a receipt for 50% payment to Prestige Paving for the proposed driveway work. (copy of drawing and paperwork sent to governing body with agenda)
- 9) Road Opening Permit – Ted Guis – 61 Riverview Terrace – open driveway curb cut from 22’ to 35’. Approved by Borough Engineer.

RESOLUTIONS (continued):

- 10) Payment of claims, additional invoices:
- | | | |
|--------------------------------|------------------|---------|
| a. Pequannock Township PV Park | Recreation-07/07 | \$33.50 |
| b. Pequannock Township PV Park | Recreation-07/14 | \$33.50 |
| c. Pequannock Township PV Park | Recreation-07/21 | \$30.50 |
| d. Pequannock Township PV Park | Recreation-07/28 | \$32.00 |
- 11) Payment to English Paving CO., Inc. for balance due on original purchased order, in the amount of \$69,227.66 which will close out the contract price on the paving of the Newark Pompton Turnpike.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 85-E, F, G, H AND I**CLOTHING BIN APPLICATION/APPROVAL:**

- 1) The Read Foundation, Inc. applicant for clothing bin placement is scheduled for this evening for approval of a clothing bin placement at Riel Auto Body, 276 Paterson Hamburg Turnpike. All paperwork, fee and proof of notice to property owners have been received and are in order. (a copy of paperwork has been distributed to governing body with agenda)

Mayor Budesheim asked if there were any comments. This bin is already in place. Councilman Guis stated that this site is tight to begin with and parking may already be substandard. He asked whether this should be referred to Zoning. Councilman Loesner stated it should be the Zoning Officer who reviews the applications and site plans and if they feel it is in violation then refer it to the Planning Board. Council agreed that this application should be referred to the Planning Board for a recommendation. Borough Clerk Talerico suggested property owners should be notified that a permit from the town is required before bins can be placed on their property. It was decided to amend the clothing bin ordinance and to make the Zoning Officer the enforcing officer. Mayor Budesheim stated that until the ordinance is amended the Zoning Officer will be enforcing the ordinance.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Loesner, to refer The Read Foundation, Inc. clothing bin application to the Planning Board for review and comment.

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

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported on a request for use of the softball fields at Freedom Park for the Butler Stars Girls Softball. She will contact Shawn Dougherty to check for scheduling conflicts and request a certificate of insurance from the applicant.

COMMITTEE REPORTS:

Councilman Falkoski reported that he and Councilman Carelli had discussions with the Police Chief regarding the finances involved in hiring a patrolman. At this time there are a few things we need to verify and won't be able to make a commitment until the end of September or October.

Councilman Guis reported on the CDL program that was discussed at the last meeting. He emphasized his belief that we have a potential liability. He was unable to find any other vendors and recommended we implement this program. Mayor Budesheim agreed and suggested he contact NJIIF to see if they have a program. Councilman Loesner stated that writing a CDL policy for the handbook will be practically impossible. The policy will basically have to be to follow the protocols of the vendor. He also emphasized the need to get a program in place quickly.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Loesner, to approve an agreement with National Safety Compliance, Inc. to set up a CDL Program at a cost not to exceed \$2,000 unless it is determined a better program is available through NJIIF.

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

Councilman Guis reported on researching a new generator for the Police Department. He looked at both natural gas and diesel and his recommendation is natural gas. He asked Chief Smith for his input. Councilman Astarita stated he also met with a vendor and agreed with the recommendation for natural gas. He will be meeting with additional vendors.

Councilman Loesner reported on his meeting with several employees regarding the health benefit changes. They seem to be unclear about exactly what they will be paying beginning in October. He will prepare a chart to be distributed to the employees. Mayor Budesheim stated he had already provided this information to the DPW.

PUBLIC PARTICIPATION NO. 2:

Glenn Venza, 14 Macopin Avenue, asked Councilman Falkoski if we got a summons report for July. Councilman Falkoski stated he did not have it with him. Mayor Budesheim asked if he had the court report. Councilman Falkoski stated he doesn't get it from the Court Administrator any more and he will talk to her about it. He stated that 186 summonses were issued in July 2011 compared to year to date July we have 1,632. May 2011 we had 84. March 2010 we had 528. March 2011 we had 258. Mr. Venza asked how that relates to dollar figures coming into the town as his concern is a shortfall in the budget. Councilman Falkoski explained that we can only anticipate revenue based on the prior year. Mayor Budesheim stated that we are down \$40,000 from last year which is going to affect our budget.

Mr. Venza asked Councilmen Falkoski and Carelli about the hiring of another police officer and the determining factors to wait until the end of September. Councilman Falkoski stated that we are analyzing it based on whether or not we can afford it next year. We want to be sure we have money in place to handle whatever decision we make. Councilman Carelli stated that part of it has to do with where we are with overtime right now and obtaining more information.

An unidentified resident inquired about putting meters on the Hamburg Turnpike. Mayor Budesheim stated the cost is prohibitive.

PUBLIC PARTICIPATION NO. 2 (continued):

Mick Reilly asked several questions regarding the clothing bin ordinance and its enforcement. His questions and concerns were addressed by the Council. He also asked if we had a professional recommendation from a town engineer for the new generator. Councilman Guis stated that he spoke with him.

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

ALL IN FAVOR.

There was a brief discussion with Police Chief Smith regarding hiring an additional officer. There will be further discussion at the workshop meeting.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:45 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 12-2011

**ORDINANCE AMENDING CHAPTER 168 OF THE REVISED
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
 AND AMENDING CERTAIN PROVISIONS APPLICABLE TO PO-
 1 THE PROFESSIONAL OFFICE DISTRICT 1**

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. 12-2011 as read on second reading at this meeting, be adopted and finally passed.

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

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

RESOLUTIONS:

Councilman Astarita questioned an item on the bills list for the municipal court copier. Borough Clerk Talerico will ensure the validity of the invoice prior to payment.

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

RESOLUTIONS (continued):

- 1) Payment of Claims.
- 2) Approval of **Change Order #1** for the Arlington/Mead & Haycock Paving Project for jet-vac/root cutting of storm drains not to exceed \$3,350.00.

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

COPY OF BILLS LIST IN FULL ON PAGE NO. 89-B**CORRESPONDENCE:**

- 1) From Linda Roetman, Planning Board Secretary responding to the review of the location of the clothing bin at 276 Paterson Hamburg Turnpike stating that the Planning Board unanimously felt that this was a poor location for the clothing bin, although the organization (PLYO) is one they support. The board explained to the representative Mr. Gruzidis that they hoped he would be able to find a different location in town; however this location is unacceptable due to the danger of the traffic on the Turnpike.

Mayor Budesheim stated the recommendation of the Planning Board is to deny the application.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to deny the application from the Read Foundation for placement of a clothing bin at 276 Hamburg Turnpike.

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

Councilman Guis stated that the Zoning Officer is having problems with getting un-permitted bins removed. There are vendors who will tow the bins and he asked for guidance from the Borough Attorney. Borough Attorney Oostdyk stated that he would follow up with the Zoning Officer.

MAYOR REPORT:

Mayor Budesheim reported that unfortunately Bograd's is going out of business and the building is for sale. They've been in business for 85 years. Mayor Budesheim commended everybody and all departments who took part assisting during Hurricane Irene. He reported that the county is very restrictive on how we use reverse 9-1-1 and it sometimes doesn't work well. Pompton Lakes and several other towns use Global Connect and the cost is about \$50 per month. He recommended we contract their services which would come out of the OEM budget.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita, to approve a contract with Global Connect for reverse 9-1-1 services at a cost of \$605 per year.

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

MAYOR REPORT (continued):

Mayor Budesheim asked Councilman Guis to explain the proposal for a generator.

Councilmen Guis and Astarita reported on their research of several generators and what is included in the pricing. Councilman Guis recommended we approve the purchase at a cost not to exceed \$30,000. There was a discussion regarding diesel fuel versus natural gas.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Astarita to authorize the Mayor to purchase a generator, pending receipt of formal quotations, at a cost not to exceed \$30,000.

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

Mayor Budesheim reported we are in serious need of barricades, cones and signs. The DPW will be working on this.

Councilman Astarita reported on the flooding of basements that resulted when JCP&L shut off power without notice and sump pumps stopped working. He asked if there was some way we could require them to notify us. Borough Attorney Oostdyk stated that the Board of Public Utilities has exclusive regulatory jurisdiction over them. Dan Sturm stated that he was told they can do whatever is necessary to keep their grids up and running while they're in storm mode.

Mayor Budesheim reported that we need to go to bid for restoration of the Glenburn. We have \$420,000 in county grants and specs have been prepared.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to authorize the Borough Clerk to advertise for bids for Phase 2 rehabilitation of the Glenburn to be received on September 28, 2011 at 11:00 am.

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

BOROUGH CLERK REPORT:

Borough Clerk Talerico reported that she received agreements from HMR Architects for architectural services not to exceed \$11,000 for door stabilization in the main house and \$10,000 for the landscape study at the Glenburn. Mayor Budesheim stated these are covered under the grant. Clerk Talerico reported that our insurance company does not offer any programs for the CDL requirements. They recommended that we obtain a certificate of insurance if we use an outside vendor. We also need to set up a new membership agreement with the Morris County Co-Op. She read correspondence from the Pompton Lakes-Riverdale First Aid Squad thanking us for our donation.

COMMITTEE REPORTS:

Councilman Falkoski reported that one of our part time dispatchers is leaving for a full time job and another is not working out. He has a recommendation from the Police Chief for a part time dispatcher.

COMMITTEE REPORTS (continued):

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to appoint Kyle Parrill as part-time dispatcher for the Riverdale Police Department.

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

Councilman Falkoski reported that after preliminary discussions it appears we would be able to hire an additional police officer by October.

Mayor Budesheim stated that when we were looking to bring an officer back, we were told by Finance that we didn't have enough money next year. He asked if that had changed. Councilman Falkoski said that officer would be coming back with a much higher salary and benefits. Now we're looking at a patrolman to come in at a beginning salary and we would have the money to cover it.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Carelli, to authorize the Police Chief to begin conducting interviews for a regular police officer.

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

Councilman Guis reported on the preliminary interviews for the DPW.

Councilman Astarita stated that a generator would be a good application for a CDBG grant. There was a discussion regarding the matter.

Councilman Loesner commented on several storm issues. Civilian volunteers manning road blocks on Route 23 were not properly equipped and he questioned whether they were certified to be flaggers for state highway. His concern is liability. Borough Attorney Oostdyk stated that could be a concern. He also commented that there were no emergency provisions at the Community Center and no CERT people during the morning hours. He reported on rewriting the employee handbook and distributed a draft of a transitional duty policy and CDL policy. He is working with Chief Smith on a transitional duty policy for the Police Department.

Mayor Budesheim reminded everyone of the September 11th Ceremony that will take place on Sunday at 7:00 p.m. on the front lawn. He and Councilwoman Wetzel picked up the World Trade Center artifact at Kennedy Airport yesterday and it will be dedicated at the ceremony.

PUBLIC PARTICIPATION NO. 2:

Chief Smith reported that their copier lease is up in October and he is obtaining price quotations. There have been some changes in the law and we need an ordinance establishing a position for special police officers.

Dan Sciara, 1 Munn Avenue, asked if a letter was sent to the railroad regarding his complaints. Borough Attorney Oostdyk stated that a letter was sent and he received a call that he would be getting a letter in reply.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:38 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Carelli, Falkoski, Loesner, Wetzel**
 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 - August 15, 2011
 Workshop Meeting - September 7, 2011

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

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

PRESENTATION TO RIVERDALE LIBRARY TEEN VOLUNTEERS

Neelav Patel	Kristen Rosenboom
Amanda Ekkers	Jordan Seiarra
Michael Gunta	Cassidy Tibbetts
Brianne Remy	Deanna Walker

Mayor Budesheim stated that these teens gave many hours of their time helping the children's librarian with Story Time and the Summer Reading Program and they also help with the Summer Reading Club. Without these young volunteers these programs would not have been as successful as they were. We are very grateful for their dedication to the community and the library and their parents should be very proud. He thanked the library staff for taking the time to work with these young people and guide them. Library Director Carol Heinz also thanked the teens for all of their help. Certificates were presented.

PUBLIC PARTICIPATION NO. 1:

Joan Garcia acknowledged the people of the town and June Carelli who opened the shelter that was available to us the whole weekend of the storm and the Harsley's who stayed at the shelter. She also acknowledged the police and fire department for an outstanding job.

Officer Pat Harden asked several questions regarding the CERT team. He was concerned that there were people in the middle of the highway checking ID's and they were not on the CERT team. According to the Uniform Traffic Code there's supposed to be a certified flag person. Some of the situations were unsafe and should be corrected. Mayor Budesheim stated that all of the people were there at the request of the Police Chief so the police would not have to be manning barricades. They were all given instruction by either the Chief or other members of the police department. Councilwoman Wetzel stated that she and her husband volunteered and confirmed that she was given precise instruction by the Chief and another police officer and was told to check ID. Councilman Loesner asked the Borough Attorney if we open ourselves up to liability issues when we

PUBLIC PARTICIPATION NO. 1 (continued):

have unqualified flaggers at a state highway intersection. Borough Attorney Oostdyk stated that he's not sure they were flaggers. They should not be directing traffic or acting in that capacity. CERT member Joan Garcia stated that it was an emergency circumstance and now that they know training is required they are looking into that training. Chief Smith stated that it was an emergency situation that hopefully won't happen again. He explained the function was to be behind the barricade and advise motorists where to go. What we learned from that is it's better to leave the barricades unmanned because everyone comes up with a question. On Hamburg Turnpike that function was very helpful. Glenn Venza defended himself for being accused of directing traffic.

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

ALL IN FAVOR.

Mayor Budesheim stated that for the record he wanted to thank everyone who did come out. They were called at the last minute on a terrible day and they were a big help.

ORDINANCES:

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

ORDINANCE 09-2011

**ORDINANCE AMENDING CHAPTER 135 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
ANDS ESTABLISHING FEES FOR CLASSES AND PRIVATE
PROGRAMS AT THE SENIOR COMMUNITY CENTER**

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. 09-2011 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 94-A

ORDINANCES (continued):

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

ORDINANCE 10-2011

**AN ORDINANCE AMENDING THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF RIVERDALE AND
LIMITING A BUSINESS ENTITY WHICH MAKES POLITICAL
CONTRIBUTIONS TO MUNICIPAL CANDIDATES AND
MUNICIPAL AND COUNTY POLITICAL PARTIES IN EXCESS OF
CERTAIN THRESHOLDS FROM RECEIVING PUBLIC
CONTRACTS FROM 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

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 10-2011 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 95-B

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

ORDINANCE 11-2011

**ORDINANCE AMENDING THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF RIVERDALE AND
ESTABLISHING A POLICY SETTING AN ABSENTEE
THRESHOLD FOR BOROUGH BOARDS, COUNCILS, OR
COMMISSIONS**

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

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

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

ALL IN FAVOR

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 11-2011 as read on second reading at this meeting, be adopted and finally passed.

ORDINANCES (continued):

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 96-C

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

ORDINANCE 13-2011

**AN ORDINANCE AMENDING CHAPTER 86 OF THE REVISED
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
 AND DELEGATING RESPONSIBILITY FOR ENFORCEMENT
 OF THE CLOTHING BIN ORDINANCE TO THE ZONING
 OFFICER**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 96-D

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

ORDINANCE 14-2011

**AN ORDINANCE AMENDING CHAPTER 128 OF THE REVISED
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
 ENTITLED "PRECIOUS METALS, GEMS, AND JEWELRY
 DEALERS"**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 96-E**RESOLUTIONS:**

Mayor Budesheim noted that in payment of claims we're still paying for the court copier. He asked that it be removed from the bills list. He said it was voted on that it should have been taken out two months ago. Councilman Astarita asked if we need to send a letter to the company. Mayor Budesheim stated it requires a phone call advising them the lease is expired and to come pick it up.

Councilman Carelli asked for clarification of resolution No. 7. He did not want to vote on a promotion prior to the probationary period being completed. Councilwoman Wetzel agreed. Mayor Budesheim stated he was hired at the higher rate but it was lowered for the probationary period. There was a discussion regarding the matter.

RESOLUTIONS (continued):

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to approve the following resolutions, including removal of payment for the court copier from the bills list, and amending resolution No. 7 to include the salary to be effective January 1, 2012:

- 1) Payment of Claims (court copier payment removed).
- 2) Approval of check issuance to Gloria Carelli in the amount of \$500.00 for food purchases for the Riverdale Food Pantry from Pantry Trust Fund.
- 3) **Resolution No. 64-2011;** Resolution Authorizing the Award of a Contract for Professional Services (Architectural Service) HMR Architects, P.A. for the 2011 Morris County Historic Preservation Trust Fund Grant – Phase 2b and Landscape Study – Glenburn House.
- 4) **Resolution No. 65-2011;** Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for improvements to Highland Avenue, Hillside Avenue, Wilson Avenue and Carper Lane.
- 5) **Resolution No. 66-2011;** Refund of Tax Overpayment; Block 11, Lot 1.23 William S. Winters, 2010 in the amount of \$1,524.21 and 2011 in the amount of \$1,550.19 due to County Board Appeal.
- 6) **Resolution No. 67-2011;** Refund of Tax Overpayment; Block 40, Lot 3.2208, Anthony Piccinich, 2010 in the amount of \$70.42 and 2011 in the amount of \$71.62 due to County Board Appeal.
- 7) Mayor to appoint Donald VanOrden as a Laborer C to the DPW Department at a salary of \$32,782.00 with a 3 month probationary period. Effective January 1, 2012 he would be brought up to Utility A at a salary of \$34,452.00.
- 8) **Resolution No. 68-2011;** Grant Agreement between Township of Pequannock, Township of Wayne, Borough of Pompton Lakes, and the Borough of Riverdale by and for the NJ DEP. (Stream Cleaning Project)

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 97-F, G, H, I, J AND K**MAYOR REPORT:**

Mayor Budesheim stated that Barry Huber was a Councilman for over 20 years. He owned a business and was born and raised in Riverdale. His brother, Ronnie Huber, asked that we dedicate Federal Place in his honor. Council had no objections.

Mayor Budesheim reported that the responsibilities and obligations of affordable housing have been transferred to the Division of Community Affairs. In order to use the money from developers we have to amend our spending plan with the state. Bob Michaels has amended that to include the \$650,000 we've received from developers to use toward the purchase of the Verizon property.

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

MAYOR REPORT (continued):

Resolution No. 70-2011; Authorizing an Amendment to the Affordable Housing Spending Plan.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 98-I

Mayor Budesheim reported that we contracted with Global Connect and any phone with a Riverdale billing address can be registered for the reverse 9-1-1 calling system. He also stated that any department that collects fees is required to send a monthly report to the Governing Body. This is part of the Best Practices Checklist and was requested by the Auditor. The Borough Clerk will send a memo to all departments. Mayor Budesheim reported that Verizon sent out a report and they are not withholding any personal business property tax payments this year. He also reported that he has been appointed to the New Jersey League of Municipalities Legislative Committee. We meet about 5 times year and review every piece of state legislation and vote on whether the League of Municipalities opposes or supports it. The first meeting is October 15th.

NEW BUSINESS:

- 1) From the DEP – Green Acres Program inviting the Borough to apply for a special Local Blue Acres Floodplain Acquisition grant from the DEP Green Acres Program. (copy of e-mail, letter and application transmitted to governing body with agenda)

There was no discussion on this matter.

ATTORNEY REPORT:

Borough Attorney Oostdyk reported that our existing police ordinance meets all the statutory criteria and calls for the appointment of up to two special police officers.

COMMITTEE REPORTS:

Councilman Falkoski reported that the deadline for accepting applications for the Police Department is Wednesday and they will be starting the interview process.

Councilwoman Wetzel thanked everyone who had a hand in making last Sunday's 9-11 event so successful. We still need to decide where we are going to mount the artifact and in what fashion. Next weekend is the Street Fair that was rescheduled due to the hurricane.

Councilman Loesner asked if there were any comments on the drafts of the CDL and Light Duty Policies he had prepared. There were no comments. He also reported there is a high turnover rate in the DPW. He would like to direct department heads that he would like to conduct exit interviews with employees who resign to find out if there's a problem that can be corrected. The state still has not come out with alternative health care plans so there will be no additional alternatives this October.

Mayor Budesheim reported on the OEM meeting held after the hurricane. One of the main issues was the shelter and how it should be run. Joan Garcia reported that we had a facility but no provisions. She called the Red Cross to discuss the possibility of them setting up and manning a shelter in the future. With advance notice they would set up a

COMMITTEE REPORTS (continued):

trailer so all of the supplies we would need would be put aside to be brought to us. They would also provide a shelter manager and personnel. They will bring in two meals a day but require a cooking facility. This could be a very good answer for us and she will continue to pursue this.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

CLOSED SESSION:

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, RESOLVED that the Council go into closed session to discuss a matter of potential litigation.

ALL IN FAVOR.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:38 p.m.

Respectfully Submitted:

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

CLOSED SESSION

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

Police Chief Smith is also present.

Borough Attorney Oostdyk informed the Council that today in the mail he received a grievance from the PBA on the issue of denial of dental coverage for the police employee. We had talked about that issue. The employee did not do the follow up that was necessary for the Borough Clerk's process for the application for coverage. Our view had been that was the employee's responsibility that they did not follow through. The PBA sees it differently and filed a grievance on the grounds that we have denied coverage that their contract says he's entitled to.

Councilman Carelli stated that we didn't deny it. Borough Clerk Talerico stated that she submitted his application. He was turned down by the insurance company because of late submittal. He was told when he was hired, I would hope, by whoever hired him that he was entitled to dental. He came in a year later and asked to enroll in the dental plan. I gave him the application, sent it in and he and I both were notified that he had to go on a waiting period for 18 months because of his late enrollment and would have to reapply. He never did and I don't believe it's my responsibility to chase people. I typically don't and most people are cooperative with it and come back when they are able to re-enroll. That was in 2004 and he came in recently within the past year with about \$8,000 worth of dental bills asking the Borough to pay for them because we refused to enroll him. He was never refused to enroll. All those years went by and he did go to the dentist and did know he didn't have coverage and never said anything about it. That's the history of the whole thing. Several Council members commented that when you go to the dentist they usually ask you if you have insurance coverage. Councilwoman Wetzel stated it appears he got dental work done knowing he didn't have coverage. Clerk Talerico stated that he then tried to get it paid for by the town. He went to the Mayor and the next thing he was in my office and no matter what I said to him he wouldn't accept what I had to say. Borough Attorney Oostdyk stated the next step is that he will send it to our Labor Counsel to look at and give us some guidance. They are now seeking arbitrators and we will address it with arbitration. Clerk Talerico stated that nobody every looked at him and said you're denied coverage. Councilwoman Wetzel asked if the argument should be between the arbitration and the insurance company. Borough Attorney Oostdyk said the insurance company is clearly in the right. We didn't pay for his insurance because he didn't enroll. He was not enrolled so it wasn't a covered claim. Clerk Talerico stated that he is now enrolled. Borough Attorney Oostdyk stated that it isn't an insurance company issue and I don't see it as our issue. We never denied him enrollment. The issue now is he wants to be reimbursed for all his dental expenses because he wasn't enrolled in insurance. Clerk Talerico stated that every employee that's employed comes to the office and gets the applications on their own. Nobody hands them anything. They're told to go to the front office to get the applications for pension, health and dental. Even with the health insurance, he didn't enroll in that right away either. Somebody else came in and got the application and took it home for him. Borough Attorney Oostdyk stated he would proceed and keep the Council apprised.

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

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

Frank DeCento of Harrison Road asked if there were any plans for flood buyouts. He heard that Pequannock is buying out all of their houses which will leave only 6 houses on that street. Mayor Budesheim replied that Pequannock had approached us to become part of their application for the FEMA grant and the Council had voted to do this. We didn't hear back from them and he had heard from a resident that we were dropped. We've contracted with the NJ Land Conservancy and they will file the application for us with Green Acres for the Blue Acres Program and also for FEMA. They are working with our Engineer and we will be moving forward on that.

Dan Sciarra of Munn Avenue asked for an update regarding the railroad facility. Mayor Budesheim stated that our attorney received correspondence from them. We explained to them they still have to come before the Planning Board and they agreed. We asked the engineer to measure the stacks that are not supposed to be more than 9 feet high. The Surface Transportation Board ruled against us so we are trying to enforce the rules in the court order. Mr. Sciarra said there has to be some way of getting them in to the Planning Board. Borough Attorney Oostdyk said the Planning Board attorney would be in touch with their attorney. Mr. Sciarra stated he had residents who would like to testify in front of the judge. Mr. Oostdyk did not know if the judge would allow that. Mayor Budesheim asked Mr. Sciarra what changes he expects. Mr. Sciarra said he wants to take care of some of the noise. Mr. Sciarra asked for the name of the facility. Mayor Budesheim replied that the New York Susquehanna Western Railroad is the owner and testified they are the operators of the facility. Mayor Budesheim said they expressed a willingness to appear and he believes they will.

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

ALL IN FAVOR.

RESOLUTIONS:

Councilman Falkoski stated the Police Department has information regarding the contract renewal for their copier. Chief Smith stated the cost is \$50 less per month and answered questions regarding the contract. Councilman Astarita requested resolution No. 5. Councilman Guis stated that PSE&G is running a new gas line through Cottage Place. He recommended we authorize an inspection to be sure they put down repair pavement according to specs provided by the town.

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

- 1) Payment of Claims – Utility Bills/Insurance&Library.

RESOLUTIONS (continued):

- 2) Approval of **Change Order #1** to professional agreement with DMC Associates, Inc. Land Surveyors that was approved for 2011 Tax Assessment Map approved on December 29, 2010.
- 3) **Resolution No. 69-2011**; Renewal of Membership in the Morris County Cooperative Pricing Council for a period of October 1, 2011 through September 30, 2016.
- 4) Approval of a 5 year contract with Ricoh for a copier for Police Department at a cost of \$191.32 per month.
- 5) Approving payment of \$199.50 to Reiner Group for service of air conditioning at Fire Department, pending research by Councilman Astarita.
- 6) Authorizing up to \$500 for inspection by the Borough Engineer of PSE&G road opening to run gas line on Cottage Place.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 102A & B**MAYOR REPORT:**

Mayor Budesheim reported that the low bid for restoration of the interior of the house at Glenburn was \$420,000 from Dell-Tech. All of that will be paid by the County except \$84,000 which comes out of our Open Space Trust. There is a total of \$426,000 available.

Councilwoman Wetzel asked what the renovations would cover. Mayor Budesheim described the work that would be included. Councilman Astarita stated that we have the opportunity to create another jewel in Riverdale. We've been working on this since we prevented a strip mall from going in there. Councilwoman Wetzel stated that the Glenburn is quite beautiful and it was a good decision to go through with it.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, to approve the award of contract for Glenburn House Phase 2, to Dell-Tech Inc., 930 New York Ave, Trenton, NJ for a total bid of \$420,000.

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

Mayor Budesheim reported that the DPW Superintendent has recommended the soccer field at Independence Park be shut down for a year. A number of years ago we spent \$40,000 on resurfacing and it is going to be destroyed if we don't shut it down after this season. Councilman Astarita will look into the matter.

Mayor Budesheim stated that the Borough Clerk sent a memo to all department heads regarding monthly reports on cash receipts. Borough Clerk Talerico reported that to date she had only received reports from the Police Chief and the Water/Sewer Department.

Mayor Budesheim stated that he wanted to receive a quote before we hire the labor attorney for the police grievance. Borough Attorney Oostdyk agreed and will advise him to provide a quote.

COMMITTEE REPORTS:

Councilman Falkoski reported on the Fire Department's joint application with Pompton Lakes, Bloomingdale, Kinnelon and Pequannock. He presented a memorandum of agreement to the Borough Attorney and asked who should be the signatory.

Councilwoman Wetzel reported on the annual Street Fair and thanked everyone who helped. There were not as many vendors as in the past because the date was rescheduled. The police chief alerted her to a concern that a student from St. Mary's school purchased a shock gun and it became an issue when he wanted to bring it to school. She will address the issue with the fair promoter and follow up with the school principal. Aside from that, it was a good day. She reported the year to date financial report for the Senior Community Center. She also reported that Fright Night is scheduled for Thursday, October 27th from 6 to 8 p.m. at the Community Center and details will follow.

PUBLIC PARTICIPATION NO. 2:

Patti Watson of the Riverdale Art Center voiced their support for the Glenburn estate and thanked the Council for their support of the RAC. She showed the Council a painting of the Glenburn by Carl Richards. It was done for the RAC and was put up for auction at the Art and Food Festival at the Glenburn. Her husband got the painting at the auction. She asked if it could be displayed at the municipal building for a period of time to show what you've done and what you've persevered. Mayor Budesheim stated we would be honored to have it and thanked her.

Mark Olynyk of Harrison Road asked what the town's position is with regard to buying out the houses on Harrison Road. Mayor Budesheim told him we've contracted with the NJ Land Conservancy who will be applying for funding for buyouts. Mr. Olynyk asked if there was a timeline. Borough Attorney Oostdyk told him his experience is that it would take several months after approval of the application through the County and Green Acres. It's usually not years but it is a process. The FEMA program is a much longer timeline before you get approval. Councilwoman Wetzel asked him if we could get feedback as to whether all six owners are interested in the buyout.

John Pryotack of Baroque Jewelers addressed the Council in regard to Ordinance 9-2008. He stated it has been a real hardship for him to hold purchased gold for 45 days. Councilman Falkoski stated that the ordinance is being amended to 20 days and explained the reason for the wait period. Mr. Pryotack said the state ordinance is 3 days which they feel is more than enough. Councilman Falkoski explained that the Council discussed the matter several times and in conjunction with the Police Chief and the conclusion was that reducing the wait to 20 days was fair and reasonable. Mr. Pryotack asked if there was any chance of lowering that. Mayor Budesheim said that he agreed with him but it is up to the Council. Councilman Loesner asked Mr. Pryotack if he was required to buy gold or if it is a business decision. Mr. Pryotack stated it is a business decision and he has been turning it away due to this ordinance. He also has turned business away because he cannot disassemble anything. He stated that he is the only jeweler in town so this ordinance pertains only to him. Councilman Astarita explained that the ordinance is to protect the residents and the public.

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

ALL IN FAVOR.

Borough Attorney Oostdyk replied to Councilman Falkoski's earlier question regarding the signatory on the Fire Department's joint application. The agreement should be signed by the Borough since it requires a commitment to spend money.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Loesner, to authorize the approval of a joint grant agreement for the Fire Department with the Boroughs of Pompton Lakes, Bloomingdale, Kinnelon and the Township of Pequannock.

ROLL CALL: **Ayes:** **Astarita, Carelli, Falkoski, Loesner, Wetzel, Guis**
 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: 8:17 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

APPROVAL OF MINUTES DATED:

Regular Meeting - September 19, 2011
 Workshop Meeting - October 3, 2011

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

ALL IN FAVOR.

PUBLIC PARTICIPATION NO. 1:

Dan Salameno, Jr. of the Pompton Lakes/Riverdale Little League addressed the Council regarding their request to make improvements and maintain the baseball fields at Independence Field. He explained that they would rototill and bring in new clay with the help of professionals. They would like to move forward before winter so the fields are ready for the upcoming season. The cost for materials would be a few thousand dollars. Mayor Budesheim stated that we are looking to improve the state of the fields and there are funds available in the Open Space Trust Fund. He thanked Mr. Salameno for his interest and told him to contact the Borough Clerk's office for a purchase order when he obtains the price for the clay.

Joan Garcia stated that she would be more comfortable if the proposal was also brought to Pompton Lakes and both towns shared in the cost. Mr. Salameno stated that tens of thousands of dollars were spent in Pompton Lakes at the Joe Grill fields and over \$30,000 was spent on clay that got washed away by the flooding. He is going to be the Finance Chairman and find new avenues for raising money for the Little League. An unidentified member of the Little League Board stated that Pompton Lakes doesn't have the funds right now and they really want to get the fields done. Joe Grill fields are not reliable and it would really benefit the league if we could use these two fields almost exclusively.

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

ALL IN FAVOR.

PROCLAMATION: "DECLARING THE MONTH OF NOVEMBER AS PANCREATIC CANCER AWARENESS MONTH" IN THE BOROUGH OF RIVERDALE.

Mayor Budesheim declared the month of November as Pancreatic Cancer Awareness Month in the Borough of Riverdale.

COPY OF PROCLAMATION IN FULL ON PAGE NO. 105-A

ORDINANCES:

1) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 13-2011

**AN ORDINANCE AMENDING CHAPTER 86 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
AND DELEGATING RESPONSIBILITY FOR ENFORCEMENT
OF THE CLOTHING BIN ORDINANCE TO THE ZONING
OFFICER**

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 Carelli, **RESOLVED** that Ordinance No. 13-2011 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 106-B

2) Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 14-2011

**AN ORDINANCE AMENDING CHAPTER 128 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE
ENTITLED “PRECIOUS METALS, GEMS, AND JEWELRY
DEALERS”**

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. 14-2011 as read on second reading at this meeting, be adopted and finally passed.

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 107-C**RESOLUTIONS:**

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

- 1) Payment of Claims. (including the following)
 - a. Darmofalski Engineering 2012 State Aid Apps \$1,840.00
 - b. Darmofalski Engineering Mathews Ave Phase II \$3,910.00
 - c. Darmofalski Engineering Riverdale General Consults \$1,150.00
 - d. Morris County MUA Disposal Services \$12,576.26
 - e. North Jersey Media Group Publication \$ 303.52
 - f. GDF Suez Energy Sept. – Oct. \$2,081.63
 - g. JCP&L Sept. – Oct. \$1,572.37
- 2) Resolution to memorialize the agreement with “The Land Conservancy of New Jersey” a nonprofit organization to retain their services to preserve and protect open space for flood mitigation, natural, historic, recreational and agricultural purposes commencing on July 2, 2011 and ending on June 30, 2012 for a fee of \$12,000, to be paid quarterly at \$3,000 for each quarter. (copy of agreement distributed to governing body with agenda)

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 107-D**REVIEW AND APPROVAL OF THE FOLLOWING CLOTHING BIN APPLICATIONS:**

- 1) The Read Foundation, Inc. at Route 23 North – BJ’s Wholesale Warehouse Club. (originally applied to place bins at 276 Paterson Hamburg Turnpike and was denied by council) This location has been approved by the zoning officer.

Mayor Budesheim stated that this was originally by Real Auto Body and we turned them down at that location. The new location has been approved by our Zoning Officer.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Loesner, to approve placement of clothing bins by The Read Foundation, Inc. at BJ’s Wholesale Warehouse Club.

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

- 2) RE USA bins located at Route 23 North – BJ’s Wholesale Warehouse Club and have been approved by the zoning officer.

This application was not complete and was TABLED.

OTHER BUSINESS:

- 1) Confirmation of League of Municipalities attendance, Mayor Budesheim, Councilman Falkoski, Councilman Carelli and Tax Collector MaryAnn Murphy. Any cancellation has to be done by October 30th or municipality will be responsible for payment.

There was no discussion on this matter.

CORRESPONDENCE:

- 1) From Leigha Stigman, Property Administrator advising that the Board of Directors of the Grande at Riverdale Condominium Association has instructed Wilkin Management to inform the Mayor and Council that they are still disputing the Municipal Services Reimbursement for snow removal in the amount of \$5,762.68. Wilkin Management has previously spoken to the Mayor's office and is working to schedule a meeting with him and the Board Members to discuss this matter. (copy of letter distributed to governing body with agenda)

Mayor Budesheim stated that he met with the new administrator. He said his recommendation to their homeowner's board was that our offer was fair. The formula set up by Councilman Guis is dollar for dollar based on what we spent and the amount of roads at the Grande. We are not responsible for shoveling walks and cleaning out parking spaces. They had set up meetings with me and then not shown up. Borough Attorney Oostdyk stated that we have an agreement with them and the only thing they can dispute is the figures in our formula. Mayor Budesheim stated that no action is to be taken.

- 2) From Dan Salameno, Jr. stating the he is part of the Pompton Lakes/Riverdale Little League and during the past few years has helped take care of the baseball fields at Independence. Because of the flooding problems at Joe Grill, these fields have become an invaluable part of the Little League and he would like to address the maintenance of these fields. (copy of letter distributed to governing body with agenda)

This item was addressed during public participation No. 1.

COMMITTEE REPORTS:

Councilman Falkoski reported the Court Report for September 2011. The amount coming to Riverdale 2010 year to date was \$244,181. The amount for 2011 year to date is \$143,971. One of the reasons for the difference is we lack a traffic squad right now. He also reported that 28 applications were received for a patrolman. He read a memo from Chief Kevin Smith with his recommendation that we hire the top candidate and swear him in at the November 21st Council meeting. He asked the council to make a motion to support the hiring of this patrolman

Mayor Budesheim stated that this is coming as new information to the Council and it should be discussed at a workshop meeting. Councilman Falkoski stated that the matter had been discussed at other meetings. Mayor Budesheim stated the Chief Financial Officer told him there is no money in this year's budget and he doubts there will be money in next year's budget. Councilman Falkoski stated that he obtained the police salary and budget numbers from the bookkeeper. He also stated that we are lacking revenue coming in right now because we don't have a patrol officer doing traffic. Mayor Budesheim stated that he goes by the numbers from the CFO and is not prepared to make this appointment tonight. Councilman Falkoski stated that he asked the Council. Mayor

COMMITTEE REPORTS (continued):

Budesheim stated that it is his appointment and he is not going to make it tonight. Councilman Falkoski stated that there may be a way around that if the balance of the Council wants to do something. He said it's foolish not to do this. We're losing more money in revenue from lack of a traffic squad than we are anything else. I asked for a motion from the Council. Borough Attorney Oostdyk stated that it is the Mayor's appointment. If the Mayor declines to appoint and the Council feels an appointment is necessary, there is a mechanism to do that but we're not at that point yet. Councilman Astarita stated that we have to be very sure that we have the funds before we allow this to happen and we need the input of our CFO. Councilwoman Wetzel stated that we should discuss it at length at a workshop meeting.

Councilman Falkoski reported on problems with Ladder 31. Fire Chief Dan Sturm reported that it was damaged while responding to a house fire during the flood. The repair has been made and we hope to be reimbursed by FEMA. The cost is \$1,600 for labor and \$1,500 for parts.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to approve payment for the repair to Ladder 31 in the amount of \$3,100.

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

Councilwoman Wetzel reported that the official date for the tree lighting will be Monday December 12th at the school lawn.

Councilman Astarita reported there will be a meeting of the Community Development Revenue Sharing Advisory Committee on November 2nd and he will be out of town on business. Councilman Loesner will attend.

Councilman Loesner reported on the new State Health Benefit Plans. Open enrollment for employees started today and runs through November 11th. The state hasn't put together plan summaries yet so we don't know exactly what the plan or deductibles are. Each HMO is now offering two options plus two high deductible plans. The new coverage costs can be discussed at the next workshop.

PUBLIC PARTICIPATION NO. 2:

Glenn Venza asked if there was anything planned for the month of November being declared Pancreatic Cancer Awareness Month. Mayor Budesheim stated that there were no plans but was open to ideas.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:12 p.m.

Respectfully Submitted:

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

PRESENTATION BY LAND CONSERVANCY OF NEW JERSEY (continued):

excluding one. All of them are either already preserved or in the buyout process excluding the one. So by going through the buyout process with these properties here on the Riverdale side of Harrison Road it would actually extend this preservation project to make it a multi-municipal project if you will and it would allow citizens of both Riverdale and Pequannock to enjoy this open space and conceivably could provide a Riverwalk to connect to the various open spaces in the two municipalities and it would provide an excellent recreation opportunity for citizens of both municipalities. That's pretty much it. It's pretty straight forward.

Councilwoman Wetzel: Am I to understand there will be one remaining resident down there?

Mr. Cela: Well, he is finally starting to relent. He is now looking to sell from what I hear but he is not officially entered into the buyout program as of yet. He's the one holdout but that's his decision. These programs must be voluntary. There's no way to force people into this which rightly so there's no way to force people.

Councilwoman Wetzel: And it's a Pequannock resident?

Mr. Cela: Yes, it's a Pequannock resident. Here in Riverdale everyone has agreed.

Councilwoman Wetzel: And that large parcel of land, where is that?

Mayor Budesheim: That's that Rovic Trucking where the former DeMarco Garbage...

Councilwoman Wetzel: Oh, okay on the other side of...okay.

Mr. Cela: This one again it's rather large which is nice but it's an industrial property. If you do peruse the application you'll see that some of the costs to do diligence are larger than they would be for these tinier parcels because it would cost a lot more to do the survey and appraisal and things like that on a large industrial property.

Mayor Budesheim: What's the threshold for the cost benefit? We were told we were excluded from the Pequannock application because the cost benefit ratio wasn't there. In other words, they wouldn't be saving enough money. What is that threshold? How many years do you have to have flooding?

Mr. Cela: I don't have the exact numbers in front of me so I will get back to you with the threshold. However, let me just say to partially answer your question FEMA has an annual funding round. Basically every year no matter what if you are what they call a severe repetitive loss property that means that you have, and again I don't want to be quoted on the numbers, I'll get you the exact numbers, but it's something like \$5,000 of damage in a 10 year period three times.

Borough Engineer Darmofalski: Three \$5,000 losses.

Mr. Cela: There you go. So here are the exact numbers.

Mayor Budesheim: Three \$5,000 losses.

Mr. Cela: Within a 10 year period, exactly. Then you get onto what's called a severe repetitive loss list. Then you are eligible for a FEMA buyout no matter what. However, what makes this time period special is that as I'm sure you guys know after Hurricane Irene, New Jersey was declared a Federal Disaster Area which means that all this new FEMA funding is becoming available so the rules are a lot less strict as to which

PRESENTATION BY LAND CONSERVANCY OF NEW JERSEY (continued):

properties are allowed to receive funding so that's the program that we have applied for to FEMA and that's also the program that we're attempting to link to Blue Acres funding as well.

Mayor Budesheim: Whoever determines the fair market value of these houses obviously they're in a flood area so their value is going to be less, but that doesn't give them enough money to relocate to a non-flood area. Do they take that into consideration? Do they appraise it as if it weren't really in the flood area?

Mr. Cela: No, unfortunately.

Mr. Darmofalski: They appraise it prior to the flood so it's before any damages take place. That's the appraisal, and just by my knowledge of other municipalities that are going through this project the owners, first of all it's voluntary as Aaron said, but the appraisal will come in at a value and it's going to be that or the value of your mortgage. Some people if they have an excessive mortgage FEMA's program will allow them to pay off their mortgage versus the appraised value which could be higher. They have a snapshot that they take the appraisal at and that's the way that the system works.

Councilwoman Wetzel: So I guess if I owned a home there and agreed that I would do this, they come in, they give me an appraisal or they say this is what we feel it's worth.

Mr. Cela: Correct.

Councilwoman Wetzel: Now FEMA will pay 75% of that and your organization will pay 25%?

Mr. Cela: No, not my organization but the state will.

Councilwoman Wetzel: Okay so it comes through Blue Acres so it comes from the state. Let's say it's \$200,000 so as the owner I'm given \$200,000 to walk away?

Mr. Cela: If the appraisal was \$200,000. Whatever the appraisal number is then yes.

Councilwoman Wetzel: Whatever the number is. So the agreement is made, I'm given that set figure, then I just go.

Mr. Cela: Then that money is yours and you can go do with it what you like.

Councilwoman Wetzel: And so then how does that affect the property of the town?

Mr. Cela: The ownership of the property then is deeded to the municipality but there are deed restrictions on it that basically say that it has to remain open space. It becomes essentially a municipal park but can't be developed for baseball fields.

Mayor Budesheim: So who demolishes the houses?

Mr. Cela: That's part of the cost. If you look at the application, you can see when you're estimating the cost of the project, demolition is one of the costs and so that is taken into account.

Mayor Budesheim: You don't subtract it from what the person gets?

Mr. Cela: No. That's separate.

PRESENTATION BY LAND CONSERVANCY OF NEW JERSEY (continued):

Mr. Darmofalski: Could I help the Borough understand your responsibilities on this? First of all it's voluntary. Let's say Paul was offered \$100 and Paul didn't want to sell it for \$100 then you don't have to do that. One of the downsides of signing off on this program as a homeowner is that your flood insurance will be at the current rate. Many of the flood insurance rates throughout the state of New Jersey and also in Riverdale are at grandfathered rates. So they're going to pay top dollar, or full value of their insurance rates as opposed to being grandfathered. There's a down side that if you don't accept the offer there is a consequence to that. I don't think it's a bad consequence but that's what it is. In the event that all of these properties agree and they're willing to be bought out, it's the Borough's responsibility to administer the demolition and the restoration. We're actually in Lincoln Park going through bids right now and the administration of this which is eligible under cost reimbursement through this program for the demolition, the administration, the survey; everything along those lines, the closing is all eligible costs under this program if it should be funded. So it's not money out of your pocket. The other thing that Aaron hasn't mentioned yet is there is a five year period of time that FEMA reimburses you for the ratable that you've lost. So after five years you don't have that ratable any more but they have a sliding scale that they have a five year period that you get your ratable. It will be an eventual loss, the ratable, but you have five years to work that into your budgets.

Councilwoman Wetzel: That was absolutely my next question. How does that affect us as far as it coming off of our tax roll? Okay.

Mayor Budesheim: And the cost of providing services to that street with Pequannock pulling out is going to exceed whatever the tax rate. Now the industrial building, is that handled the same way?

Mr. Cela: That is a little bit more tricky. It may or may not be accepted. Generally these things are for homes but the grant for disasters they don't exclude other types of properties so if there's any kind of, I mean I don't know what the property looks like. If there's waste on there, if there's things like that, they might not accept it but we're going to throw it in there. We're going to see if we can...

Councilman Loesner: That's what I was going to ask. A property like that's got a potential for environmental cleanup.

Mr. Cela: Exactly. So we're giving it a try. The homes are more what this is designed for but we're going to see what we can do.

Councilman Guis: You might remember, Paul's probably more familiar. There were a lot of DEP remediation issues to be done there a lot of which have never been done.

Councilman Loesner: It's true.

Mr. Darmofalski: There's two issues with the DeMarco property as we all know it. One is that there is a pollution issue. We don't know what that is and there also was some illegal fill that was never remediated. That was all brought about at the Planning Board meetings when we heard the Alexan North project and that was going to be taken care of but it's never been taken care of. There's a little bit of work to be done on that particular piece if there should be eligible funding for that. The state will not do it. They actually have a closing that they take title to the property. They will not do that if it's got environmental issues.

Mr. Cela: Documented environmental issues could pose a problem. We'll see where it goes. It can't hurt to put it on the application and see what happens.

PRESENTATION BY LAND CONSERVANCY OF NEW JERSEY (continued):

Councilman Loesner: You would think they would have some kind of program to deal with a site like that. That's probably the best one to get rid of when you think about it. It's like causing pollution. Ted and I could knock those houses down in a day and a half.

Mr. Cela: This is the kind of thing I'm going to want to talk to whoever I can to learn a little bit more about exactly who might know about these issues. Then I'll go back to the office and talk to the rest of my staff and do some more research and we'll figure out exactly what this means.

Mayor Budesheim: Maybe we should just drop that one and concentrate on the houses.

Councilman Guis: Here's my concern. If we're openly taking title to this property I don't want to inherit the known problems we have there. It sounds like it's a difficult part of the application anyway.

Mr. Cela: Well it's not difficult to put it on the application but let's say I'm a little bit wary as to whether or not...

Councilwoman Wetzel: Could this jeopardize the rest of the project?

Mr. Cela: No, I don't think it would.

Councilman Loesner: Could you (indiscernible) if like that one becomes a problem where you could take the houses on Harrison Road out of it or does it have to be all or nothing?

Mr. Cela: No. The way that it's set up is you can see that Harrison Road which is the main kind of priority obviously of the project and of the Borough are all down here. This property of concern is here and then there's two others spread out. This is kind of the bulk of the project. This is kind of where we have our focus.

Councilman Loesner: Do they have the program that runs each year or is it just a one time opportunity?

Mr. Cela: Well, then again there is the annual program but as I said a little bit earlier there are some stricter rules. Instead of who can and cannot apply for the annual funding this disaster relief funding gives us a little bit more leeway as to getting this done.

Councilman Loesner: Do you think we'd have a greater chance of success if we just did the residential properties and took out the industrial?

Mr. Cela: I will get back to you on that for sure but I believe that it would not jeopardize the application and if the state felt that this property was not going to fly they would take it off.

Councilman Loesner: But here's what I'm worried about. We have the residents, they want to get out, we want to help them get out. I'd hate to lose the opportunity to help them because of that site.

Mr. Cela: Yeah. Basically...

Councilwoman Wetzel: Can you do it in stages? Can we do Harrison Road as phase I and be guaranteed that's going to fly and then move on to phase II?

PRESENTATION BY LAND CONSERVANCY OF NEW JERSEY (continued):

Mr. Cela: Unfortunately, the way that it seems the state and federal government often times work is that they gave us very little time to actually plan this out. They said okay it's due in a month. So unfortunately we don't have time to really submit this in several phases. We have to get everything we can in by the deadline which is the end of the month.

Councilman Guis: If we approve this or we make the request are we committing that if the state funds this we've going to do it?

Mr. Cela: Well, the homeowner has to approve it.

Councilman Guis: I said I know the homeowner has the option to back out of this. If since we don't have all the answers on this environmental stuff can we, if we find there's an issue there, later pull out or are we committing to it?

Mr. Cela: I see what you're saying. No. In other words, this money, it's just like other Green Acres funding where if you get the funding for a project then you have the funding for the project and if you don't do the project then the state takes the money back.

Mr. Darmofalski: Can I just make a few comments about some of your questions? It's voluntary on your part also. The state does its due diligence. If these properties are all eligible and they said you're funded now we have to go through the - they have their own environmental review and if they come up with something that's environmental and Riverdale does not want to pursue it or the numbers don't work it's going to get dropped. They're going to tell you to drop it. It's not really going to be your choice so you're not buying a pig in a poke at this stage of the game. My knowledge also is that you may not be taking title to this property. It might be the state of New Jersey that takes title to this property and you have a responsibility to maintain it meaning that you just let it go back to its natural state. You have the right to use it for active or passive recreation. You can't build on it.

Mayor Budesheim: Now these grants, are the grants a legal contract between the homeowner, in other words are we just applying for this on behalf of the homeowners?

Mr. Cela: Yes.

Mayor Budesheim: So we're not really going to be active participants in this except for the demolition part?

Mr. Cela: Well, the money goes directly to them.

Mayor Budesheim: It's not like it comes to us and we've got to pay them?

Mr. Cela: Honestly I'm not exactly sure if the money goes to you and you have to send it to them or if the money gets sent directly to them. I'm not entirely sure but the only way that a homeowner can participate in this program is if they participate through a municipality so it's organized at the municipal level.

Mr. Darmofalski: The answer to your question is you do have a participation level. The money will roll through the Borough of Riverdale and the timing of it is such that they can advance the money in the account and at the closing that money just gets given to the homeowner but it goes through Riverdale. You would be responsible for attending the closing with your attorney. The cost is reimbursable. The cost of engineering is reimbursable. The costs of other soft costs are reimbursable under this program. You don't have a lot of properties that we're applying for right now as opposed to some of

PRESENTATION BY LAND CONSERVANCY OF NEW JERSEY (continued):

your downstream neighbors. I would strongly encourage you to include what we have and let the process take place. You're in a severe area of flooding and I think it might be granted. I think you have the opportunity. Unfortunately, as Aaron said they didn't give the borough a lot of time to put this application together and do a lot of due diligence. This has been a rush and he's done a tremendous job putting this all together and coordinating with my office and Bill's to get this all put together. They gave you a month to put this all together and it's a lot of work. I would encourage you to put the application in and let's see where it goes. You're not going to buy a pig in a poke and if something happens that whether the one house on Harrison has a problem with an oil leak or if it's the DeMarco property that has a problem you don't have to pursue it.

Mr. Cela: Nothing binding for the town. Nothing binding for the land owner. If it's approved the money goes into an account to be used.

Councilman Falkoski: So there's everything to gain and nothing to lose.

Mr. Darmofalski: The thing to gain at this stage of the game is that the Blue Acres is picking up the 25% that FEMA is not. Normally if you want to make an application next year it's 75% funding and then you come up with the rest. Now, the county is talking about using some of the Open Space money as a potential for buying some of these properties or participating. Blue Acres is really Green Acres money that they're going to use for flood buyout and its Open Space acquisition. In fact the Governor has put forward something to say it's an automatic let's use this money that we can use for Blue Acres buyout based on this disaster. We don't have disasters every year. The March flooding was not a disaster. The March flooding from 2010 was not a disaster. The flooding from Hurricane Floyd was not a disaster.

Mayor Budesheim: When all these properties are bought out, what about the block and lot? What happens? Do they still remain individual or do they merge as one big lot and whose name would it be in?

Mr. Cela: As far as I know they still remain individual.

Mayor Budesheim: By Planning Board we could merge them all?

Mr. Darmofalski: I don't know the answer to that. I know Lincoln Park in some of their buyouts, and I just use my experience there, the individual lots remain the block and lot and the tax map shows that it's under ownership of public. And their properties are all owned by Green Acres of the state of New Jersey. There are other programs that FEMA owns so there's federal ownership of properties and state ownership of properties. I do not believe that you will be the eventual owner of these properties but FEMA never ceases to confuse me. It could be something different tomorrow.

Mr. Cela: I do have to say it is funny because I've read pages and pages of these FEMA regulations and it's really hard to keep it straight sometimes. You never can tell but probably that's the case. Me personally, this is the first Blue Acres application I'm putting through. We've gotten very familiar with the Green Acres process but I think we're going to do some more research and obviously just due to time constraints we're going to push this thing through and see where it goes from here and hope that the borough is considered eligible for this funding.

PUBLIC PARTICIPATION:

Mayor Budesheim thanked Mr. Cela for his efforts and announced the meeting is now open to the public.

PUBLIC PARTICIPATION (continued):

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

ALL IN FAVOR

Mayor Budesheim: Do we then pass this resolution and you're on your way?

Mr. Cela: Yes, and I think the actual application has to be sent from you guys. You have this check list here that comes with the application just to make sure. Don't forget to include everything that I've provided including the minutes from today's hearing and you should be all set and good to go. If you have any questions you can forward them to me. I can give you my contact information for the record if you'd like.

Borough Clerk Talerico: As far as the minutes go are you looking for verbatim minutes for this?

Mr. Cela: Well, it's a Green Acres requirement that the actual minutes from the meeting be submitted so yeah, preferably a transcription of the events. Luckily we're being recorded.

Mayor Budesheim: We have to have this in by the 31st? All right.

Mr. Darmofalski: I don't think they have to be verbatim minutes, with all due respect.

Borough Clerk Talerico: I don't think so either. I think they're interested that we had the public hearing that it was explained to the governing body and that the roll call of the resolution is on there.

Mr. Darmofalski: You're voting on this application that's been prepared that you have a copy of. What we need to do is on the last page sign that this is the resolution that was endorsed and then we need some photos and then we're all set along with the maps that we already have.

RESOLUTIONS:

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

- 1) **Resolution #71-2011;** Green Acres Enabling Resolution.

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

COPY OF RESOLUTION IN FULL ON PAGE NO. 118-A**ADJOURNMENT:**

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

ALL IN FAVOR

Adjourned: 8:30 p.m.

APPROVED:

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

Joan Garcia commended the DPW for the job done during the snow storm.

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

ALL IN FAVOR.

RESOLUTIONS:

Mayor Budesheim stated that the Powder Mill homeowners association asked if any of the escrow could be kept for maintenance of the drainage ditch. Borough Attorney Oostdyk stated that is the purpose of a maintenance bond. It was decided to approve release of the escrow with the condition that the Borough Engineer and Borough Attorney look at it to determine whether any of it can be held.

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

- 1) Approval of payment to Panoramic Landscape Services for work approved by governing body to the access road on Overlook Road in the amount of \$4,358.40.
- 2) **Resolution No. 73-2011; Transfer of Appropriations.**
- 3) Approval of the release of Powder Mill Development's escrow funds as approved by Borough Engineer, Paul Darmofalski, he states that all of Riverdale's conditions have been satisfied and the DEP matter at the site has also been settled and approved by the DEP. Approval is with the condition that the Borough Engineer and Borough Attorney determine if any amount can be held for maintenance.
- 4) Approval of the release of the Target Maintenance Bond that has expired.
- 5) Approval of Professional Agreement with Appraisal Systems, Inc. 50 Park Place, Newark, NJ for the purpose of appraisal services for 2011 Tax Appeals. **(copy of agreement transmitted to Governing Body with Agenda)**
- 6) Approval of payment to Appraisal Systems, Inc. for appraisal services performed with regard to tax appeals in the following amount:

a. Target Corporation tax appeal	\$1,500.00
b. HD Development	\$1,500.00
c. Riverdale Crossing	\$2,000.00
d. BJ's Wholesale Club	\$1,500.00
- 7) Utilities Bills List.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 121A & B**OTHER BUSINESS:**

- 1) Consideration and approval of the applications for extended hours of operation on November 25, 2011, the day after Thanksgiving, for the following establishments who have applied and paid the required fees per Chapter 110-3 of the Borough Code.
 - a. Target – waiver for hours 12 am to 6 am.
 - b. Walmart – waiver for hours 12 am to 6 am along with police dept. services
 - c. Sports Authority – waiver for hours 5 am to 6 am.

Borough Clerk Talerico confirmed that all fees have been paid. Target has also requested to pay Riverdale Police officers directly. Mayor Budesheim stated that it has to go through the municipal budget. There was a brief discussion regarding the requests for police services which will be left to the discretion of the Police Chief.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to approve the applications for extended hours as specified by Target, Walmart and Sports Authority.

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

CORRESPONDENCE:

- 1) Submittal of Certificate of Determination and Award regarding the Bond Anticipation Note renewed by Kenneth Sesholtz, Finance Officer in the amount of \$2,850,000 for a period of one year as required meeting the reporting requirements of the Local Bond Law. **(copy of Determination of Award transmitted to Governing Body with Agenda)**

Mayor Budesheim stated that no action is required.

MAYOR REPORT:

Mayor Budesheim reported that members of the OEM team who helped out during hurricane Irene were honored and recognized by the Governor in Trenton for their service to the community.

BOROUGH CLERK'S REPORT:

Borough Clerk Talerico reported on problems she was having returning the court office copier to Ricoh. Borough Attorney Oostdyk will look at the contract.

COMMITTEE REPORTS:

Councilwoman Wetzel passed out the October revenue report.

Councilman Loesner reported on information from the State Benefits and Pension website concerning healthcare renewal premiums for 2012. Health care premiums are increasing 10.5% next year. A package containing the information was distributed to the Council for review and further discussion.

PUBLIC PARTICIPATION NO. 2:

Joan Garcia asked if there was anything new regarding hiring a police officer. Councilman Falkoski stated that it would not be discussed tonight.

Tom Batelli spoke regarding concerns with the release of Powder Mill escrow funds. Mayor Budesheim explained that is why it was approved with the condition.

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

ALL IN FAVOR.

CLOSED SESSION:

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

ALL IN FAVOR.

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

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

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

- 1) **Resolution No. 72-2011;** Authorizing the Execution of a Supplemental Consent Order Concerning Certain Third-Party Defendant Municipalities for the Settlement with the Novartis Direct Defendants in the Action Entitled “New Jersey Department of Environmental Protection v. Novartis Corporation, et al.

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

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:04 p.m.

Respectfully Submitted:

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

November 7, 2011

CLOSED SESSION:

The Purpose of this closed session is to discuss litigation regarding the Novartis vs. Borough of Riverdale et al and Paige vs. Borough of Riverdale.

Borough Attorney Robert Oostdyk explained to the governing body that the Novartis case is a continuation of sorts of the old Sharkey Landfill Case. Mr. Oostdyk explained that we could settle this case for \$2,499.94 which would be much less of an expenditure if the Borough fights the case. The borough's deductible is \$5,000 and then the legal fees on top of that expense. The governing body agreed that this would be the way to handle this case. To be voted upon back in open session.

Borough Attorney Robert Oostdyk explained to the governing body the case that has been brought against the borough by Paige regarding sewer gallonage he purchased from the borough years ago and had been paying for it to reserve the gallonage for future usage on his property. The clerk has not yet been served papers for this case, but has been advised by Mr. Paige's attorney that the suit has been filed in the courts.

Councilwoman Wetzel set forth the motion to return to open session seconded by Councilman Falkoski.

ROLL CALL: Ayes: Astarita, Falkoski, Guis, Loesner, Wetzel
 Nays: None

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

Mayor Budesheim presiding.

ROLL CALL: **Present:** **Astarita, Carelli, Loesner, Wetzel, Guis**
 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	-	October 17, 2011
Special Meeting	-	October 25, 2011
Workshop Meeting	-	November 7, 2011

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

ROLL CALL: **Ayes:** **Astarita, Carelli, Loesner, Wetzel, Guis**
 Nays: **None**
 Abstain: **Carelli (10/25 and 11/7 only), Astarita (10/25 only)**
 (5 ayes – 0 nays – motion carried)

PUBLIC PARTICIPATION NO. 1:

Michael Kheypets, 33 Parkway, spoke regarding a problem with skunks in his yard. Councilwoman Wetzel stated that he should call the Board of Health or Bloomingdale Animal Control for guidance.

Dan Sciarra, Munn Avenue, asked for an update regarding the railroad not complying with the court order. Borough Attorney Oostdyk stated that it's been referred to the Planning Board where jurisdiction lies. Mr. Sciarra stated that it is almost a year since the court order and nothing has been done. Mayor Budesheim stated that the concerns were forward to the Planning Board Attorney and their next meeting is December 1st.

Police Chief Kevin Smith thanked Dr. Joseph Young for his very generous donation of two CPR mannequins and a defibrillator trainer to the Police Department. The retail value is close to \$1,000 and this is invaluable life saving equipment that we've never had before.

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

ALL IN FAVOR.

RESOLUTIONS:

Councilwoman Wetzel asked for clarification of the Armed Forces Donations.

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

- 1) Payment of Claims, including the following:
 - a. Pamela Sylvestri - Armed Forces Donations & Postage - \$271.00

RESOLUTIONS (continued):

- 2) **Resolution No. 74-2011;** Refund of Tax Overpayments – Block 18, Lot 26.08 –Geraldo Jiosi - \$1,392.98 – Duplicate Payment.
- 3) Governing Body to declare a Stihl Demo Saw, property tag #000438 as unusable surplus submitted from DPW.
- 4) Mayor to appoint Richard J. Clemack to represent the Borough in the case of Paige vs. Riverdale with consent of Governing Body.
- 5) Authorizing the Borough Clerk to advertise for bids for the Elevator Installation at the Community Center funded from the Community Development Grant to be received Tuesday, December 13, 2011.
- 6) **Resolution No. 75-2011;** Transfer of Appropriations.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 125-A, B AND C**OTHER BUSINESS:**

- 1) Consideration and approval of applications for extended hours of operation on November 25, 2011 for the following:
 - a. Best Buy has approval to open at 5:00 am on Black Friday and would like to extend that time to open at 12:00 am consistent with other local establishments openings.
 - b. Home Depot requesting waiver to open at 5:00 am on Black Friday \$25.00 fee paid (not according to ordinance).

Borough Clerk Talerico stated that the ordinance specifies a fee of one cent per square foot which is what the other businesses have paid. Mayor Budesheim stated the reasoning is that Home Depot is only requesting 1 additional hour, doesn't have the traffic and requires no police presence. The full fee would have been approximately \$1,100.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Loesner, to approve the applications for extended hours as requested by Best Buy and Home Depot.

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

MAYOR REPORT:

Mayor Budesheim reported that our custodian, Barbara Shad, will be leaving. Janet Pellet who previously had the position and does the Community Center and Firehouse cleanup would like to take the position but would be looking for full time employment. Councilman Guis is also obtaining a price from an outside vendor.

Councilman Guis stated that there will be several changes in personnel in the DPW over the next several months. It is premature to make a move at this time. We have tried vendors in the past with limited success. There was a discussion regarding the number of hours for the position.

MAYOR REPORT (continued):

Mayor Budesheim stated that we approved a transfer of funds for a payment for medical benefits. Funds came out of three budgets so everyone is advised to watch spending. Councilman Carelli stated that he wanted to double check on whether all the reimbursements were factored in.

BOROUGH ATTORNEY REPORT:

Borough Attorney Oostdyk reported on release of a performance guarantee in connection with the Powder Mill development. A motion was passed at the last meeting to release the performance bond contingent upon my discussion with the borough engineer and confirmation. They did review the paperwork and it was clearly posted for one purpose which was to get a DEP permit. That DEP permit was issued and the borough engineer was satisfied that the conditions for that bond have been met. We can't hold the bond for things other than what it was posted for so the borough clerk will be releasing that bond pursuant to the motion made at the last meeting. Mr. Oostdyk also noted for the record that we appointed Richard Clemack to represent the Borough in the case of Paige vs. Riverdale and received confirmation from our insurance company that they will not provide us with an attorney to represent the Borough in this case.

COMMITTEE REPORTS:

Councilman Carelli asked Borough Clerk Talerico for a printed report of every vendor paid over \$36,000 in the last year.

Councilman Astarita reported that we will be advertising for bids for the Senior Center elevator to be received on December 13th.

Councilman Loesner stated that a few months ago he handed out a policy for CDL and a rewrite of transitional duty for the Employee Handbook. If everyone is in agreement, I would like to make them part of the Employee Handbook for 2012. We should get a compliance policy for CDL drivers soon. Mayor Budesheim stated that there was concern about transitional duty for DPW and the Police. Councilman Loesner stated he is working with Chief Smith to come up with a comprehensive policy specific to the Police Department. DPW should be able to come inside if necessary. Each incident will be unique.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Guis, to incorporate the CDL policy and transitional duty policy into the Employee Handbook for 2012.

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

PUBLIC PARTICIPATION NO. 2:

Glenn Venza asked if we could continue the discussion about possibly hiring a police officer at the next workshop. Mayor Budesheim stated that we hopefully would.

Police Chief Smith spoke regarding a concern with his budget next year for e-training. Mayor Budesheim stated it is a great idea being implemented and the council will support the program.

PUBLIC PARTICIPATION NO. 2 (continued):

Councilwoman Wetzel stated there is something she wanted to say for the record:

I'd like to thank the residents for their support and encouragement by re-electing me for another term as their representative. My journey to this point was uncontested but that's not to say it was without controversy. I'd like to address a subject that may make a few people uncomfortable but I feel it's something I have to do. I'm not looking for anyone to agree or disagree with me. I just need to say what I feel and hope that we can continue to move forward from this point. As we all know, not all positions on this year's ballot were uncontested. We had a race for Mayor. As with all contested political races there can only be one winner. The majority vote selected incumbent Mayor Budesheim to continue his role as Mayor of Riverdale. For his supporters this is a positive thing. For his non-supporters, this was not the outcome they were looking for. Regardless of their personal feelings or opinions it's time for everyone - residents, employees and least of all non-residents - to accept the fact that this is the governing body chosen by a majority and it's time for people to take their negative attitudes, false accusations and untruths and put them on a shelf. It's time to allow this governing body to get back to the business of running the town, managing their departments and securing the lifestyle that Riverdale residents deserve and are accustomed to. No individual on this governing body should have to expend any more time or energy defending their reputation or trying to prove itself to be non-corrupt. Employees who are unhappy have the option to leave. Residents who are unhappy have the option to move. Non-residents who insist on fueling the fires they have started should just mind the business of their own towns. We have chosen the option to continue to make Riverdale a successful, happy, healthy place to live and I'd like to achieve this with the support of this entire Mayor and Council as well with our employees and residents. I found myself in a position where I had to confront someone for making a false accusation on a social media page which indirectly involved me. The statement was withdrawn but multiple people continue to comment on freedom of speech, intimidation, and so on. Situations like this do nothing positive, waste precious time and cause hurt feelings. The outcome may not have been the one you wanted, but it is what it is and now it's time to move ahead. I would like to see all of this negative energy stopped. I would like to see our governing body, all of our departments, employees and residents work as a unit and continue to move forward to make Riverdale the great place that it truly is. Thank you.

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:05 p.m.

Respectfully Submitted:

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

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

Mayor William Budesheim presiding.

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

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

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

- 1) The following Ordinance was **TABLED** until January, 2012.

ORDINANCE 15-2011

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

- 2) Mayor Budesheim stated that ordinance 16-2011 will allow for removing salary that was paid under OEM to be paid under title of Mayor. This will not occur until after this ordinance is adopted and a resolution of the governing body is passed. Councilman Astarita asked for the rationale behind doing this. Mayor Budesheim explained that eight years ago the Council agreed to pay him a certain amount to be full time and for bookkeeping reasons we split it up under OEM and Mayor. That caused a lot of confusion over the years so if we could just make it under Mayor, I'm looking to turn over the OEM Coordinator to someone else and become a Deputy Coordinator. Councilwoman Wetzel asked if there would be a salary for that OEM position. Mayor Budesheim stated it is in the ordinance but it would be by resolution of the governing body. Borough Attorney Oostdyk stated that if there is a minimum in the ordinance you might feel like you have to put the minimum in there. Mayor Budesheim stated that we have a minimum for Deputy OEM Coordinator and we don't pay them. There was a brief discussion regarding reducing the minimum salary to zero if there will be no salary for a position.

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

ORDINANCE 16-2011

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

ORDINANCES (continued):

ROLL CALL: Ayes: Astarita, Wetzel, Guis, Budesheim (to break tie vote)
Nays: Carelli, Falkoski, Loesner
(4 ayes – 3 nays – motion carried)

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 129-A**RESOLUTIONS:**

Councilman Astarita asked if the cost for Hometown Newsletters was yearly. Mayor Budesheim stated it was for this month and is offset by advertisements.

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

- 1) Utilities Bills List.
- 2) Approval of payment to Lapatka Associates, Inc. in the amount of \$3,476.00 for as-builts to be paid from Escrow posted from Rock Creek Crossing (Buzzy) as previously approved by governing body and approved by Borough Engineer, Paul Darmofalski.
- 3) Additions to bills list:
 1. Hometown Newsletters - \$959.55

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

COPY OF BILLS LIST IN FULL ON PAGE NO. 129B**OTHER BUSINESS:**

- 1) Consideration and approval of application for extended hours of operation on December 24, 2011 at 12 am for Sports Authority who has previously applied and paid the required fees per Chapter 110-3 of the Borough Code. Waiver to be open from 7 am Friday, December 23, 2011 to 6 pm on Saturday, December 24, 2011 for a 36 hour sale prior to Christmas Holiday.

Thereupon, Councilman Loesner set forth the motion, seconded by Councilman Carelli, to approve the application for extended hours as specified by Sports Authority.

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

Councilman Loesner asked if it would be easier if we went to a temporary substation at the stores next year and have the fees cover that cost. Chief Smith stated that he didn't think there would be an advantage to that. Black Friday is the heavy night and they're paying for the men up there. Councilman Loesner stated that he has a problem with retailers using our police force as part of their loss prevention strategy. Councilwoman Wetzel stated that this is the first request for extended hours other than Black Friday. Borough Clerk Talerico clarified that the Ordinance states the permit is valid for one year at the same cost.

MAYOR REPORT:

Mayor Budesheim asked for Council authorization to enter into an agreement with Point and Pay. This is a credit card service to enable us to accept payment by credit card for taxes, water/sewer bills and all fees on line or in person. There is a convenience fee to the payer but no fee to the borough. The system can be up and running by the first week in January. Councilman Loesner asked we looked at any other vendors. Mayor Budesheim replied that we had not.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to authorize Mayor Budesheim to enter into an agreement with Point and Pay for credit card services at no cost for the borough.

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

Mayor Budesheim stated that he invited the Pompton Lakes football team to the next meeting to acknowledge them for their accomplishment in becoming state champions. He suggested the reorganization meeting be held at 6:00 pm on Monday, January 2, 2012. He asked Councilman Guis to work with Police Chief Smith to determine which cars are ready to be retired and set up a program to reduce the numbers of cars to the minimum number we need.

COMMITTEE REPORTS:

Councilman Carelli reported on the Shade Tree class held this morning. We received 12 credits which satisfied our requirement for our Forestry Plan for the Shade Tree Commission.

Councilman Falkoski reported the Court Report for the month of October. He has an application for membership in the Fire Department from Alan Hyman as a dispatcher.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to approve the application from Alan Hyman for membership in the Riverdale Fire Department.

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

Councilman Falkoski reported on the hiring of a new policeman. If the Chief Finance Officer says we don't have the money to hire one I would suggest he make a presentation to the Council so we know where we stand with the funding. As I look at numbers that were given to me it looks like we can afford \$27,000 a year for a new patrolman. Council agreed that a presentation by the CFO was a good idea.

Councilwoman Wetzel reported that tomorrow is the end of the year meeting with recreation and there will be a discussion with regard to who is going to chair the committee next year. June Carelli is going to step down as Chairperson of Recreation and we anticipate her becoming more involved with the Glenburn after April and the Community Center has picked up in activities. She will remain on the committee and oversee certain events. Next Monday is the tree lighting at the school.

Councilman Guis reported that at the last OEM meeting it was suggested we arrange for some kind of temporary power for the Senior Center in case it's needed as a shelter. It will cost less than \$1,000 to wire the two furnaces and two lighting circuits to be run with

COMMITTEE REPORTS (continued):

the temporary generator we already have. Fire Chief Sturm reported that we have some grants left to hopefully get a larger generator

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to approve electrical wiring of two furnaces and two lighting circuits for generator power to the Senior Community Center at a cost of not more than \$1,000.00.

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

Councilman Guis recommended we try a cleaning service to replace the employee who is leaving December 19th. The cost would be about \$5.00 per week more than what we pay this person. There was a brief discussion regarding the matter.

Thereupon, Councilman Guis set forth the motion, seconded by Councilwoman Wetzel, to hire Top Gun Cleaning Service to clean the municipal building and library for a 3 month trial period effective December 19, 2011 at a cost of \$2,925.00. The Police Chief will be provided with a list of the employees to conduct background checks.

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

Councilman Astarita asked if there were any projects to suggest for a Community Development Block Grant. There was a discussion regarding a generator.

Councilman Loesner reported that the Support Our Troops event will be held next Sunday, December 11th, at the Community Center from 10 to 5. He reported that he's started working on chapter two (Workplace Policies) and three (Paid and Unpaid Time Off) of the Employee Handbook. He asked that any requests or suggestions be sent to him. He asked Borough Clerk Talerico if any employees changed health care policies during open enrollment. None had.

Fire Chief Dan Sturm requested proof of insurance for drills in Pompton Lakes and Pequannock. He also requested the promise to pay document for the FEMA grant that was not returned to him.

PUBLIC PARTICIPATION NO. 2:

An unidentified audience member asked about updating the siren system. Chief Sturm replied that they are looking into it and getting prices. When he has a package together he will present it.

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 Loesner, to adjourn the meeting.

ALL IN FAVOR.

Adjourned: 8:15 p.m.

Respectfully Submitted:

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

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

Mayor Budesheim presiding.

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

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

PRESENTATION TO MAJOR DOCTOR KALSI

Mayor Budesheim announced that Riverdale resident Major Doctor Kalsi safely returned from a tour of duty in Afghanistan. He was the recipient of the Bronze Star for his meritorious service to the U.S. Army while in Afghanistan. He was awarded the Bronze Star for bringing back to life two patients who were clinically dead upon arrival, expert emergency care of over 750 soldiers and civilians, coordination of five mass casualty exercises and a general commitment and leadership above and beyond that of his general duties. We are proud and honored that Major Doctor Kalsi is a member of the Riverdale community. Councilman Astarita assisted Mayor Budesheim with a presentation and expressing gratitude to Major Doctor Kalsi.

PRESENTATION TO POMPTON LAKES HIGH SCHOOL FOOTBALL TEAM FOR THE ACHIEVEMENT OF STATE CHAMPIONS

Mayor Budesheim announced that the Pompton Lakes High School Football Team became State Champions this year. This is the school that Riverdale residents attend and it brings the community together and instills a lot of pride to have a championship team. Team members and coaches were acknowledged for bringing this championship to our communities. Councilwoman Wetzel assisted Mayor Budesheim in presenting certificates of appreciation.

Mayor Budesheim announced a 5 minute recess at 7:46 pm.

BACK TO ORDER at 7:53 pm.

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

ORDINANCES:

Public Hearing and Adoption of an Ordinance entitled:

ORDINANCE 16-2011

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.

Glenn Venza, 14 Macopin Avenue, directed his comments to Councilmen Carelli and Loesner. He reminded them of a previous presentation regarding the salary of the Mayor who is acting as a full time administrator as well as a part time Mayor. Councilman

ORDINANCES (continued):

Falkoski stated that the salary ordinance establishes a salary range for that position – not for his salary. That is another issue that will come before this governing body.

Michael Kheypets, 33 Parkway, asked for someone to explain why we're raising the Mayor salary to \$60,000. Councilman Astarita stated that other towns have borough administrators with salaries anywhere from \$70,000 to \$130,000. We have a Mayor that takes care of the day to day administration who is almost full time. Mr. Kheypets asked if he was interviewed for the job and the response was no. Councilman Loesner stated that we have defined hours for full time employees but not for the position of a full time Mayor. Councilman Falkoski stated there is no ordinance establishing that position. On November 15, 2004 Councilman Guis made the motion and I seconded it to increase the salary for Mayor to \$36,000 and OEM Coordinator to \$12,000. It also stated that it was because of the fact that he was spending these hours working in this borough for the mayorship. It also stated that if the hours changed or it doesn't work out it could be rescinded. I agreed to it at that time but I do not agree to it at this time because a lot of things have changed. There is no accountability and I don't know what the hours are. If you have a borough administrator, you establish an ordinance for that position with the duties and responsibilities of that position. That administrator is then accountable to the Mayor and Council. An elected official is not accountable to this body.

Mr. Kheypets asked how many years since 2004 this has been agreed to. Councilman Falkoski stated that it never came up again and it should. Borough Attorney Oostdyk stated that the salary ordinance does not but the resolution that establishes salaries comes up with some frequency. The last time was 2010.

Mr. Kheypets asked why we can't adjust the mayor's salary and pay a qualified candidate to be the administrator and if the job isn't done effectively you get removed from the position. Councilman Loesner stated the problem is that an elected official is not allowed to hold a position subject to the salary ordinance so they Mayor cannot technically call himself the business administrator. To be the business administrator you would have to resign as Mayor. The business administrators are subject to the accountability of the Council. If we had an administrator and didn't like the way things were running, four members of this Council could remove a borough administrator. We cannot remove the Mayor. Councilman Astarita stated that we could lower his salary if he didn't come up to our expectations but in lieu of that we would have to hire a borough administrator.

Mr. Kheypets asked what the expectations of Mayor are if there is no job description or responsibilities. Borough Attorney Oostdyk stated that he can't serve in the office of borough administrator but he can assume the duties of Mayor and in some towns those duties involve day to day operations. Mr. Kheypets stated that there's no job responsibilities, no accountability, you've never interviewed to find out whether the person was qualified to do the job. You just assumed the person who's been doing it continues to do it and the last article I read in the Trends said that our current Mayor has a full time job in Butler two days a week. Mayor Budesheim stated that he is here seven days a week and putting in maybe 60 hours a week and there isn't a person on the dais who would deny that. Mr. Kheypets asked what he should expect from a borough administrator or a full time Mayor different from what he should expect from a part time Mayor. Mayor Budesheim explained that a borough administrator acts in the place of the Mayor and Council because they can't be there all day. He is the day to day replacement for the Governing Body. Instead of having somebody here represent us, the Governing Body seven years ago felt that I was already in office for a year, had proven myself and they felt that me being here would be a considerable savings for Riverdale.

Mr. Kheypets said he is still trying to find out what the Mayor does because there is no job description. He asked why he can't be borough administrator and Mayor. Borough

ORDINANCES (continued):

Attorney Oostdyk explained the reasons under the statute. If you don't have a borough administrator and the Mayor is doing the functions under the statute then the choice is being made to make that a full time position. Councilwoman Wetzel explained that none of the elected officials have specific hours.

Mr. Kheypets stated that the confusion here is the line has gotten so blurred as to what part of the job is an elected official and what part of the job is the responsibility level that would be of an employee. Councilwoman Wetzel stated that the Borough of Riverdale has never employed a borough administrator and has always run under the jurisdiction of the Mayor and Council. It was a choice to continue to run in that fashion. Mr. Kheypets suggested we should re-evaluate that annually. We didn't have \$35,000 to hire a police officer and you are willing to pass this ordinance without a second thought.

Councilman Carelli stated that the Mayor was being paid under two line items and now it looks like he's trying to clear up confusion. There was no confusion. For eight years he was paid as OEM Coordinator and Mayor. At the last meeting he said he wasn't going to be the OEM Coordinator any longer and he was going to be the Deputy. He didn't say who it would be but someone asked what we're going to pay the new OEM Coordinator. I'm looking at this right now and saying, okay, we're going to transfer \$14,000 into the Mayor salary. So he's giving up a responsibility but he still wants to be paid for it. Now we're faced with a new OEM Coordinator coming in and by ordinance we're obliged to pay this person \$5,000. I have a draft ordinance here tonight for your review to reduce that to zero. I don't know how we can transfer all that money and have someone else come in and pay extra money when we can't even hire a police officer. I don't see how we can sit here and add salary money when we're down four police officers. I don't know what his intentions are and he hasn't said what they were. The ordinance today is to increase the range from \$45,000 to \$60,000. If that passes he's not getting any more money than he has today. It increases that range and that sets up phase two or three when we make the new OEM Coordinator and there will be a resolution at some point, I'm sure, to move that over under Mayor. In our salary ordinance we have other positions that we call stipends. We set them up as stipends because in the event we take that responsibility away we're not going to pay that person for something that they're no longer doing. We can talk about what I did in the past but I have the right to change my mind and the right to say that I'm wrong and re-evaluate things.

Joan Garcia stated that if anyone thinks \$60,000 is too much to pay the Mayor for the job he's doing I feel very badly. Councilman Astarita stated that you'd have to pay a borough administrator between \$90,000 and \$130,000 and the reason we did it is simply to save the borough money. That could change in the future. This was not political or to give the Mayor extra money.

Councilman Loesner stated that he wasn't part of the original arrangement and was not in favor of it at that time. In the last two years that I've been a Councilman I've become convinced not only that we don't need a borough administrator but we don't need a full time Mayor either. If we were to return the Mayor to a \$15,000 or \$12,000 stipend we would not have to hire a borough administrator. We have a very capable Borough Clerk who is also a Qualified Purchasing Agent among other things that she can handle. She has the assistance of a Deputy Clerk who also can handle functions within the town. When Mrs. Talerico decides to retire, and I'm sure she will some day, at that time I think we would look at a borough administrator. I'm looking for accountability in this town and we don't get it. I've been shut off from information from the Mayor since the day I put a "Joe Falkoski for Mayor" sign in my front yard. I take it upon myself to educate myself on what is going on in town and doing the job the best I can without contact from the Mayor.

ORDINANCES (continued):

Joan Garcia stated that she is embarrassed and sick of what she sees when she comes to meetings. The general election was very close and that tells me that almost as many people have their trust in Councilman Carelli as they do in Mayor Budesheim. They should be working together. Everyone should be working together and all I have seen is a lot of back stabbing and playing. This whole Council is doing a great job. This is a great town.

Mr. Kheypets stated that he'd like to know that the Council is having discussions about whether we need a borough administrator or whether we need a full time Mayor or not.

There being no further 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 Guis, **RESOLVED** that Ordinance No. 16-2011 as read on second reading at this meeting, be adopted and finally passed.

ROLL CALL: **Ayes: Astarita, Wetzel, Guis, Budesheim (to break tie vote)**
 Nays: Carelli, Falkoski, Loesner
 (4 ayes – 3 nays – motion carried)

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 136-A**APPROVAL OF MINUTES DATED:**

Regular Meeting - November 21, 2011
Workshop Meeting - December 5, 2011

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

ALL IN FAVOR.**PUBLIC PARTICIPATION NO. 1:**

Glenn Venza asked Councilman Carelli to clarify the number of CEU's obtained at the Shade Tree meeting. Councilman Carelli will check with the Shade Tree secretary.

Mr. Kheypets asked if the Mayor could vote to break a tie on an ordinance that affects him. Borough Attorney Oostdyk explained that the Council votes on its own salary ordinance because somebody has to. Ordinarily you don't vote on something that affects you personally but one of the exceptions is the salary ordinance.

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

ALL IN FAVOR.**RESOLUTIONS:**

Councilman Astarita asked for clarification of Resolution No. 10 on the agenda to approve or deny a towing license. Borough Clerk Talerico stated that the report from the Police Chief contained some adverse information. Police Chief Smith explained some of

RESOLUTIONS (continued):

the problems the officers have been having with A to Z Towing. After a brief discussion, it was decided that Resolution No. 10 would be tabled.

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

- 1) Payment of Claims, including additional payment:
 - a) Pam Sylvestry - Food for Troops from Trust Fund - \$237.00
- 2) **Resolution No. 76-2011**; Change of Custodian of Police Department Petty Cash Fund to Chief Kevin Smith.
- 3) **Resolution No. 77-2011**; Change of Custodian of DPW Petty Cash Fund to Steve Schotanus.
- 4) Approval of release of Escrow Funds in the amount of \$1,000 to A. Lee Richards.
- 5) Approval of release of Escrow Funds in the amount of \$1,640.00 to Riverdale One Partnership, Ron Higgons, 125 Wanaque Avenue, Pompton Lakes, NJ.
- 6) **Resolution No. 78-2011**; Approval of the submittal of a grant application to the NJDOT for "Safe Route to School" and authorize Mayor Budesheim to execute grant agreement. (copy of cost estimate transmitted to Governing Body with agenda)
- 7) Approval of Payment #2 in the amount of \$81,495.00 to Dell-Tech Inc. for the Glenburn Phase II Rehabilitation Project.
- 8) Approval of Award of Bid for the Vertical Lift project at the Riverdale Senior Community Center to LKL Contracting, Ramsey, NJ with a bid amount of \$69,800 to be charged to Community Development Block Grant of \$80,000.
- 9) Approval of towing license application for 2012 towing services to Malanga's Automotive, 39 Hamburg Turnpike. Fees have been paid and application has been approved by Police Chief Kevin Smith. **(copy of Chief's memo transmitted to Governing Body with agenda)**
- 10) Tabled.
- 11) **Resolution No. 79-2011**; Transfer of Appropriations.
- 12) **Resolution No. 80-2011**; Cancellation of Various Balances.
- 13) **Resolution No. 81-2011**; Cancellation of Prior Year Outstanding Checks.
- 14) Scheduling of End of Year Special Meeting to finalize any financial matters needed to close out 2011 at 9:00 am on December 29, 2011.

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

COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 137-B, C, D, E, F, G AND H

MAYOR REPORT: No report.

BOROUGH CLERK REPORT: No report.

BOROUGH ATTORNEY REPORT: No report.

COMMITTEE REPORTS:

FINANCE: No report.

PUBLIC SAFETY: Councilman Falkoski reported on a memo from the Police Chief regarding part-time dispatchers. Two no longer wish to be considered for call outs and

COMMITTEE REPORTS (continued):

four of the remaining five are employed full time and will be of little help. He would like to add two new part-time dispatchers for next year.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Astarita, to appoint Kenneth Hefferle and Michael Reilly as part-time dispatchers for the Riverdale Police Department.

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

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

PUBLIC WORKS: Councilman Guis reported that the generator for the Police Department arrived today. It should be up and running within two weeks.

COMMUNITY RELATIONS: Councilwoman Wetzel gave accolades to the Recreation Committee for their presentation for the holiday tree lighting and festivities. June Carelli will be meeting with the new Recreation Chairperson to acclimate her to the job for next year.

BUILDINGS AND GROUNDS: Councilman Astarita reported that we cannot apply for a generator under the Community Development Block Grant as it is considered an operating expense.

PERSONNEL: Councilman Loesner reported that the Troop Support event held last Sunday went extremely well and he thanked everyone for their support. Approximately \$1,600 was raised for the Troop Pantry and many boxes were sent to the troops overseas.

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.

Mayor Budesheim stated that it doesn't cost \$25,000 to hire a cop in this town. You're looking at least at \$60,000 the first year when you add everything up and in seven years it's over \$160,000.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:50 p.m.

Respectfully Submitted:

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

RESOLUTIONS (continued):

Mayor Budesheim stated that he and the Borough Engineer had discussed an application for the Community Development Block Grant for handicapped parking and lighting at the Glenburn.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Guis, to authorize the Mayor and Borough Engineer to make an application for the Community Development Block Grant for handicapped parking and lighting at the Glenburn.

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

MAYOR REPORT:

Mayor Budesheim reminded everyone the Reorganization meeting is Monday at 6:00 pm.

ADJOURNMENT:

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

ALL IN FAVOR

Adjourned: 9:15 a.m.

APPROVED:

Respectfully Submitted:

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