

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

Mayor Budesheim presiding.

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

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

APPROVAL OF MINUTES DATED:

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

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

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

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

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

PUBLIC PARTICIPATION NO. 1:

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

ALL IN FAVOR.

ORDINANCES:

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

ORDINANCE 09-2009

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

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

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

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

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

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

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

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

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

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

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

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

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

PUBLIC HEARING OF SOIL MOVEMENT APPLICATION (continued):

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

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

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

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

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

ALL IN FAVOR.

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

RESOLUTIONS:

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

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

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

RESOLUTIONS (continued):

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

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

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

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

COMMITTEE REPORTS:

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

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

ORDINANCE 10-2009

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

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

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

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

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

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

OTHER BUSINESS:

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

Discussion was postponed until the next workshop meeting.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 9:25 p.m.

Respectfully Submitted:

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