

July 22, 2015

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, Clinton, Pellegrini, Revis, Mastrangelo  
Absent: None**

**Also Present: Fire Chief Sturm**

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

**APPROVAL OF MINUTES DATED:**

Workshop Meeting - July 8, 2015

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

**ALL IN FAVOR.**

**PRESENTATION BY NEW JERSEY FIREMAN'S ASSOCIATION TO HONOR BILL BOWERSOX WITH A 50 YEAR PROCLAMATION.**

Ex-Chief and Riverdale Relief Association Secretary Pat Cleary stated that as part of the New Jersey State Fireman's Association a proclamation is presented when someone reaches their 50<sup>th</sup> anniversary. Out of 2,743 calls over the last 16 years Bill Bowersox responded to 2,038 or 76%.

Kevin Finnegan, Morris County Executive Committeeman to the New Jersey State Fireman's Association presented Mr. Bowersox with a proclamation recognizing his dedication and service to the Riverdale Volunteer Fire Department and the residents of the Borough of Riverdale.

**AUDIENCE PARTICIPATION NO 1:**

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

**ALL IN FAVOR**

**ORDINANCES:**

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

**ORDINANCE 09-2015**

**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF A RESCUE PUMPER AND RELATED EQUIPMENT FOR THE FIRE DEPARTMENT BY THE BOROUGH OF RIVERDALE, APPROPRIATING \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$666,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

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

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

July 22, 2015

**ORDINANCES (continued):**

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

**ALL IN FAVOR**

Councilman Revis set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 09-2015 as read on second reading at this meeting, be adopted and finally passed.

**ROLL CALL:**           **Ayes: Astarita, Carelli, Clinton, Pellegrini, Revis, Mastrangelo**  
                                   **Nays: None**  
                                   **(6 ayes – 0 nays – motion carried)**

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

2)     Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 10-2015**

**ORDINANCE OF THE BOROUGH OF RIVERDALE, IN THE  
 COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE  
 EXECUTION AND DELIVERY OF THE 2015 AMENDMENT TO  
 THE 1987 SERVICE CONTRACT BETWEEN THE SEWERAGE  
 AUTHORITY AND 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 Astarita set forth the motion, seconded by Councilman Carelli to close the public session.

**ALL IN FAVOR**

Councilman Carelli set forth the motion, seconded by Councilman Mastrangelo, **RESOLVED** that Ordinance No. 10-2015 as read on second reading at this meeting, be adopted and finally passed.

**ROLL CALL:**           **Ayes: Astarita, Carelli, Clinton, Pellegrini, Revis, Mastrangelo**  
                                   **Nays: None**  
                                   **(6 ayes – 0 nays – motion carried)**

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

3)     Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 12-2015**

**ORDINANCE AMENDING CHAPTER 135 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.

July 22, 2015

**ORDINANCES (continued):**

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

**ALL IN FAVOR**

Councilman Carelli set forth the motion, seconded by Councilman Mastrangelo, **RESOLVED** that Ordinance No. 12-2015 as read on second reading at this meeting, be adopted and finally passed.

**ROLL CALL:**           **Ayes: Astarita, Carelli, Clinton, Pellegrini, Revis, Mastrangelo**  
                                   **Nays: None**  
                                   **(6 ayes – 0 nays – motion carried)**

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 66-C**

Mayor Budesheim clarified ordinance 13-2015 and answered questions from the council.

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

**ORDINANCE 13-2015**

**ORDINANCE AMENDING CHAPTER 168 OF THE REVISED GENERAL  
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND AMENDING THE  
 REQUIREMENTS FOR THE KEEPING OF CHICKENS**

**ROLL CALL:**           **Ayes: Astarita, Carelli, Clinton, Pellegrini, Revis, Mastrangelo**  
                                   **Nays: None**  
                                   **(6 ayes – 0 nays – motion carried)**

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 66-D**

Upon noticing a large number of people in the audience, Mayor Budesheim opened the meeting for public comments.

**AUDIENCE PARTICIPATION NO 2:**

Angel Cruz, 1 Macopin Avenue, stated that he was here because he received a mailing regarding the Quarry. Mayor Budesheim explained that the Riverdale Quarry did the mailing and no hearing was scheduled for tonight. Councilman Pellegrini stated that the Quarry Committee is still working on preparing its recommendations regarding the quarry license. Borough Attorney Oostdyk stated that the Committee will make recommendations but the Council will be taking full action that will be publicized. Mayor Budesheim stated that this is a timely issue and recommended the Committee start having meetings.

Mr. Cruz also spoke about the issue of employees from the Kia dealership parking on residential streets. Mayor Budesheim stated that he understands the issues and we are working on it.

Veronica Orgueira, 38 Mathews Avenue, stated she has lived here for 27 years and spoke regarding the quarry blasting and the damage it caused to her home. She challenged the Council to stand up for the residents by keeping an eye on Tilcon and speaking for the residents who have had enough. She felt that we could do more to monitor what they are doing and that there are less problems when they know they are being watched. She also

July 22, 2015

**AUDIENCE PARTICIPATION NO 2 (continued):**

mentioned issues with dead borough trees and tree branches near wires that she has been trying to get the borough to remove.

Lisa Stires Wilson, 31 Mathews Avenue spoke regarding the damage getting worse as they get closer to Mathews Avenue.

Mayor Budesheim responded that we do represent you but unfortunately we do not have the authority to tell them to stop blasting and cut down on the dust and noise. We have very few powers. They are governed by the state and the laws are set up for their protection. We know your concerns and are trying to address them. We've been in court twice fighting the Quarry and the regulations we have are a result of our lawsuit.

Borough Attorney Oostdyk explained that we cannot do anything to regulate the blasting but it is a valid point that we need to do more to watch them more carefully. We do not get to make the rules locally and when we try, they sue us and we lose. We can monitor and be sure they're playing by the rules and that's the kind of thing this Council Committee will be looking at.

Councilman Astarita responded to Mrs. Orgueira regarding the tree issues at 38 Mathews Avenue. He stated that she should call Linda Roetman and also that JCP&L would cut the trees. Mrs. Orgueira said that she did call and also wrote a letter to Linda Roetman. She also said that JCP&L said they would not cut down the trees. She is concerned with her liability as the homeowner and said she is bringing it to the Council's attention on the record. Councilman Astarita stated that we have a lot of trees that need to come down but we don't have the money in the Shade Tree Commission budget which he hopes to get next year. He said he would assist with her with the tree issues.

Lisa Zevin, 5 Mountainview Court, stated that there was a line of trucks waiting to get into the quarry after 9:00 one night. Mayor Budesheim responded that the courts have ruled that there is an overriding public need and the quarry can be open 24 hours when there is night paving. She also stated that parking on both sides of certain streets makes it difficult to see getting in and out of Rock Creek.

John Morley, The Grande, asked if anything was being done about the lack of parking at Riverdale Square. Mayor Budesheim responded that we've met with the property owner and some of the tenants and made suggestions. Mr. Morley expressed his concerns about the number of poor drivers on the private road in his development and also exiting from Route 287.

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

**ALL IN FAVOR**

**RESOLUTIONS:**

Councilman Carelli questioned an item on the bills list for a bond for the Recreation Director. Mayor Budesheim responded that we always had a separate policy for the surety bonds and the fact that she handles upwards of \$50,000 a year for the summer recreation program we felt it was prudent to have her bonded.

Councilman Revis requested that Officer Andrew Duffy be added to resolution No. 7 for appointment as permanent patrolman.

July 22, 2015

**RESOLUTIONS (continued):**

Councilman Astarita asked if resolution No. 5 included the renewal of the liquor license for Blu Ale House. The Borough Clerk replied that the resolution for the Blu Ale House was postponed to the next meeting at the request of their attorney so they can have a representative to speak on the special conditions to be considered.

Councilman Pellegrini questioned the appointment of the Municipal Prosecutor. Mayor Budesheim stated it is a Mayoral appointment. Councilman Carelli stated he was disappointed that neither of the two recommended by the Police Chief was appointed and that there was no discussion.

Mayor Budesheim questioned the fact that the Registrar position was assigned to the Deputy Clerk on the salary resolution. He said that the Municipal Clerk must be the Registrar. Councilman Carelli responded that after discussing the matter with the Municipal Clerk and Borough Attorney he felt it was permissible and the right thing to make the Deputy Clerk the Registrar since she is doing the work. The Municipal Clerk stated that he had no problem with the Deputy Clerk being appointed as Registrar.

Mayor Budesheim questioned which salary resolution was to be voted on as there were two copies. Councilman Carelli replied that the one distributed tonight reflects \$900 more for the bookkeeper at the request of the Personnel Chairman. There was a brief discussion regarding what salary increases may have been discussed with him during his interview.

Councilman Mastrangelo stated that he wanted to postpone salary increases until everyone has had a performance review. Councilman Astarita felt it was too late to start that process within the budget year and it can be implemented for next year. Councilman Carelli stated that Councilman Clinton has started some good work and a policy should be implemented for January. It was decided to vote on resolution No. 3 separately.

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

3) **Resolution No. 52-2015;** Resolution Establishing Salaries for 2015

**ROLL CALL:**           **Ayes: Astarita, Carelli, Clinton, Pellegrini, Revis,**  
                                  **Nays: Mastrangelo**  
                                  **Abstain: Pellegrini**  
                                  **(4 ayes – 1 nay – 1 abstention - motion carried)**

**COPY OF RESOLUTION IN FULL ON PAGE NO. 68-E**

Councilman Clinton set forth the motion, seconded by Councilman Mastrangelo, to approve the following resolutions:

- 1) Payment of Claims, including the following:
  - a. US Postal Service for August Newsletter – not to exceed \$430.00
  - b. Oliver Branson for Summer Concert Series - \$600.00
  - c. Chris Roselle for Summer Concert Series - \$900.00
- 2) Authorizing the purchase of a Pickup Truck with Plow for use as DPW Superintendent/Water Truck from Route 23 Automall per MCCPC Contract item #17 in the total amount of \$38,602.00.
- 3) Removed
- 4) **Resolution No. 53-2015;** Resolution authorizing overtime pay to the Deputy Clerk for Primary Election Day on June 2, 2015 in the amount of \$600.12.
- 5) **Resolution No. 54-2015;** Renewal of Liquor Licenses for 2015/16

July 22, 2015

**RESOLUTIONS (continued) :**

- 6) Authorizing the purchase of Revcord CYA Voice Logger including 5 Year maintenance plan for the Riverdale Police Department from OBS per NJ State Contract #T-0109-83896 in the total amount of \$18,133.00 plus Switch for New Phone Recorder installed by Quickteks in the total amount of \$593.50 (\$8,832.00 has been reimbursed by insurance)
- 7) Authorizing the appointment of Dan Salvati and Andrew Duffy as permanent Patrolmen as recommended by the Police Chief.
- 8) Declaring 2010 Dodge Charger VIN#2B3AA4CT6AH170991 as scrap and no longer of use to the Borough.
- 9) **Resolution No. 55-2015;** Resolution Approving the Appointment of Thomas Melani as Municipal Prosecutor

**ROLL CALL:**           **Ayes: Astarita, Carelli, Clinton, Revis, Mastrangelo**  
                               **Nays: Pellegrini**  
                               **Abstain: Carelli (resolution No. 9 only)**  
                               **(5 ayes – 1 nay – 1 abstention - motion carried)**

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 69-F, G, H AND I****MAYOR REPORT:**

Mayor Budesheim reported that he sent letters to the residents on the streets that have been requesting sewers with a fairly accurate cost estimate from our Sewer Engineer. They have until August 31<sup>st</sup> to get back to us with their vote. Our policy has always been 50% +1 if they agree to it. They have been invited to the next two council meetings or to contact us with any questions.

Mayor Budesheim read a letter that was given to him by a borough employee and addressed to the attention of the Mayor, Borough Clerk and Borough Attorney. The employee is requesting the support of the governing body in protecting her from a resident who has been harassing her by allowing her to not take calls and to step away from her office when this resident comes to the building. Borough Attorney Oostdyk stated it was within the Mayor's discretion as the administrative person to do that and to advise the Council.

**BOROUGH CLERK REPORT:** No report.

**BOROUGH ATTORNEY REPORT:** No report.

**COMMITTEE REPORTS:**

**FINANCE:** Councilman Pellegrini reported that work is continuing on the budget.

**PUBLIC SAFETY:** Councilman Revis reported that two resolutions were approved tonight for the Police Department. He thanked the Council and the Chief for assistance with passing the Bond Ordinance and Houston-Galveston participation agreement.

**PUBLIC WORKS:** Councilman Mastrangelo reported on the street lamp posts along Newark Pompton Turnpike. Galvanized instead of stainless steel bolts were used when they were installed and they're starting to rust. We had one fall over and others look like they are going to snap and more will fall over. The DPW Superintendent got a quote to repair the 52 lamp posts that are affected and we believe this is an emergency situation.

July 22, 2015

**COMMITTEE REPORTS (continued):**

Thereupon, Councilman Mastrangelo set forth the motion, seconded by Councilman Astarita, to authorize North Jersey Power Electrical Contractors LLC, Riverdale, NJ to proceed with Light Post Repair per their price quotation dated 7/21/2015 plus the additional cost of using stainless steel bolts for a total amount not to exceed \$10,000.00.

**ROLL CALL:**       **Ayes: Astarita, Carelli, Clinton, Pellegrini, Revis, Mastrangelo**  
**Nays: None**  
**(6 ayes – 0 nays – motion carried)**

Mayor Budesheim stated that we could save \$50 to \$60 a year on each one by changing those light fixtures to LED. The cost is approximately \$6,000.00.

Councilman Carelli said we should replace the lights that are missing, they need a paint job and should be LED lights. They used to have nice banners and flags. He suggested we get a quote to do all of those things instead of doing this piecemeal.

Borough Attorney Oostdyk reminded the Council this is an emergency situation.

Mayor Budesheim advised the Council that those that are missing have been knocked down by motorists more than once or twice, generally hit and run with no insurance reimbursement. Each one of those poles at the time cost about \$1,400 and that's why they were capped and haven't been replaced. The Mayor asked the Council if they still wanted those poles replaced. After a brief discussion it was decided to do the emergency repair now and to discuss any further repairs a workshop meeting.

**COMMUNITY RELATIONS:** No report.

**BUILDINGS AND GROUNDS:** Councilman Astarita reported on an amendment to the county CDBG program under Consolidated Plan 2013 Action Plan. The library roof is finished and they did a great job. I just took over the Shade Tree Commission. I asked for some funds to remove trees for the program and found out there is no money in the budget this year. I will work with JCP&L on the tree on Mathews Avenue or see if we can do it under Open Space. There are two dead trees at the ballfields hanging over the dugouts and one is cracked. Two prices were obtained for their removal.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Pellegrini, to approve the removal of two trees at the ballfield by J. Ringen Tree Experts at a cost of \$500.00 from Open Space.

**ROLL CALL:**       **Ayes: Astarita, Carelli, Clinton, Pellegrini, Revis, Mastrangelo**  
**Nays: None**  
**(6 ayes – 0 nays – motion carried)**

Councilman Astarita reported on two price quotations obtained for 4 applications for the soccer and ball fields.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Mastrangelo, to authorize Eco Lawn to proceed with the application process for the soccer and ball fields at a cost of \$5,996.00 from Open Space.

**ROLL CALL:**       **Ayes: Astarita, Carelli, Clinton, Pellegrini, Revis, Mastrangelo**  
**Nays: None**  
**(6 ayes – 0 nays – motion carried)**

**PERSONNEL:** No report.

July 22, 2015

**AUDIENCE PARTICIPATION NO 2:**

Glenn Venza, Macopin Avenue, asked why we have to pay the raises retroactively. Councilman Carelli responded that people get raises annually and that means every January and we're seven months behind. Mr. Venza asked if there was going to be an issue during Planning Board meetings if the resident referenced in Linda Roetman's letter were to attend. Mayor Budesheim said it would be addressed if warranted.

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

**ALL IN FAVOR**

**ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 9:07 p.m.

Respectfully Submitted:

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Abubakar T. Jalloh  
Municipal Clerk