

August 26, 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: Borough Attorney James Bryce, Fire Chief Sturm and Police Chief Smith**

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

**APPROVAL OF MINUTES DATED:**

Workshop Meeting - August 12, 2015

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

**ALL IN FAVOR – (Carelli abstained)**

**AUDIENCE PARTICIPATION NO 1:**

Lisa Stires, 31 Mathews Avenue, questioned the borough changing the electric supplier. Mayor Budesheim explained the energy aggregation program and told her she could opt out at any time without penalty.

Mayor Budesheim asked if anyone had questions regarding the sewers. No one did.

There being no further 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 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**

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

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

The Municipal Clerk read a letter into the record opposing the ordinance from Marc Ciampi, 10 Fernwood Crescent.

**COPY OF LETTER IN FULL ON PAGE NO. 76-A**

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**ORDINANCES (continued):**

Marc Ciampi stated another concern is that it could be a potential fire hazard as homeowners may feel the chickens require warmth in the winter. He also felt we have small lot sizes and should retain the current ordinance.

Brendan Magennis, 36 Riverview Terrace, agreed with the points made by Mr. Ciampi.

Dan Sturm, 10 Munn Avenue, was in favor of the ordinance and stated that all of the animals mentioned are already here on a daily basis. He also said we're required to do a Board of Health inspection every year.

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

**ALL IN FAVOR**

Councilman Mastrangelo set forth the motion, that Ordinance No. 13-2015 as read on second reading at this meeting, be adopted and finally passed.

Councilman Astarita asked for clarification of the ordinance currently in place. Mayor Budesheim stated the proposed ordinance would allow 3 hens per residential lot however the keeping has to be at least 100 feet from a neighboring dwelling.

**Ordinance Fails for lack of a second.**

- 2) Councilman Pellegrini suggested the fee for Class I be amended to \$110. Mayor Budesheim clarified that the current ordinance states all storage facilities and business offices must be located in the Borough of Riverdale.

Councilman Astarita set forth the motion, seconded by Councilman Mastrangelo, to introduce the following ordinance as amended and moved its adoption.

**ORDINANCE 14-2015**

**ORDINANCE AMENDING CHAPTER 154, "TOWERS AND WRECKERS", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE**

**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. 77-B**

- 3) Councilman Revis stated that Police Chief Smith had comments regarding Ordinance 15-2015. Chief Smith stated his concerns and a discussion ensued.

Councilman Revis set forth the motion, seconded by Councilman Mastrangelo, to introduce the following ordinance as amended and moved its adoption.

**ORDINANCE 15-2015**

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

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**ORDINANCES (continued):**

**ROLL CALL:**       **Ayes: Astarita, Clinton, Revis, Mastrangelo**  
                           **Nays: Carelli, Pellegrini**  
                           **(4 ayes – 2 nays – motion carried)**

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 78-C****RESOLUTIONS:**

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

- 1) Payment of Claims, including the following:
- 2) Authorizing the following payments:
  - a) Horizon BCBSNJ #01 Dental Coverage September -       \$ 155.60
  - b) Horizon BCBSNJ #00 Dental Coverage September -       \$ 308.28
  - c) Bloomingdale Borough – 2014 Street Sweeping Balance - \$6,584.00

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

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 78-D****CONTINUATION OF RIVERDALE QUARRY LICENSE RENEWAL HEARING:**

Mayor Budesheim brought up several items in the ordinance to be addressed and to see if the quarry representatives felt they are reasonable and if there's a way we can work together on resolving some of these issues. The representatives answered questions from the Mayor the Council.

Mayor Budesheim stated that the 6 year licensing period and \$2.1 million performance guarantee are both a stipulation of a lawsuit settlement. He also discussed extraction fees where money could go into a trust fund to mitigate some of the damages.

Mayor Budesheim opened the floor to the general public for the Riverdale Quarry License Renewal Hearing:

John Morley, 4309 Ramapo Court, thanked Tilcon for making a lot of changes but still has concerns about damages. He felt easier means of communication is needed between the Grande and the quarry and is in favor of a mitigation fund.

Veronica Orgueira, 38 Mathews Avenue, had concerns with damage, air quality, dust control and plans for the future. She would like better communication and for them to stop blasting.

Maurice Varela, 25 Van Duyne Avenue, had concerns with air quality and dust and the potential for health hazards.

Chris Scilingo, 24 Cedar Street, asked who sent the flyer about the hearing to his house and why it was sent. Mayor Budesheim stated that it was from the property owner and they would have to answer.

Glenn Venza, Macopin Avenue, asked if the seismographs were being placed on the ground or hard surfaces. Quarry representative responded that they are placed on rock in a firm position.

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**CONTINUATION OF RIVERDALE QUARRY LICENSE RENEWAL HEARING:**

Councilman Carelli suggested the seismographs remain in one location so readings can be compared.

John Lobosco, 9 Greenwich Street, asked about the sites for placement of the seismographs.

Dan Sciarra, 1 Munn Avenue, was concerned that everyone has damage from blasting but said in his case it's usually blasting from the Pompton Lakes Quarry.

Alan Lewis, 16 Morris Avenue, stated that his business takes him around town and his main concern is the dust. We need to work together and control it.

Diane Pezzuti, 3 Morris Avenue, has concerns about the asphalt deposits and the reclamation project. We need to get the maximum bonding to ensure that the taxpayers are protected.

Susan Lewis, Mathews Avenue, said she hears the quarry operations at 4:30 in the morning.

Keith Hamilton, 14 Van Duyne Avenue, would like to see someone from the borough accountable for performing inspections and would like them to be surprise inspections.

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

**ALL IN FAVOR**

Mayor Budesheim stated that the quarry has our questions and concerns. He instructed the representatives to get their responses to the Borough Engineer and then we will meet with him and discuss what the next step will be.

**NEW BUSINESS:**

- 1) Reassessment Program

The Reassessment Program proposed by the Tax Assessor was distributed to the Council with the agenda. Mayor Budesheim explained that the program is intended to stop the tax appeals and preclude the need for a town wide reevaluation which costs in excess of \$100,000. We would always be considered at 100%. He recommended the Council consider entering into this agreement with our current Tax Assessor at the next meeting.

- 2) Consideration of a resolution in support of expanding access to driver licenses to undocumented New Jerseyans

No action taken.

**MAYOR REPORT:**

- 1) Riverdale Land Conservancy management proposal:

Mayor Budesheim stated that the management of Glenburn is becoming a major responsibility and that he does just about all of the management. Not knowing what the plans are for next year I thought this would be a way that the borough would not have the responsibilities. It would be much like we treat the library which is an independent body responsible for everything on the inside of the building and we're responsible for the

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**MAYOR REPORT (continued):**

outside. The Glenburn is getting a phenomenal amount of use and it is taking a lot of work. The Riverdale Land Conservancy was originally going to assume the responsibility so it would not become a burden to the town. It quickly became popular and it took off immediately.

Councilman Astarita asked if the Land Conservancy has the personnel to do this. Mayor Budesheim said they understand they would have to get the personnel.

Councilman Carelli said the concept of outsourcing doesn't sound like a bad idea but he wasn't sure they were the right people to do it. He was concerned what would happen if they didn't collect enough fees to cover expenses. He would like to hear from the Land Conservancy about their resources and how they would propose handling it. Ultimately if it doesn't work I think it will fall back on us to fix it.

Mayor Budesheim said that if we decide to try this he would like them to take over the last quarter so he can work with them. They had the same concerns and would need to feel comfortable with it. All of the money they raise through events all goes back into the Glenburn and there's no profit. They are a 501(c)(3) with a board of trustees so the only salaries would be for a janitor and the person responsible for booking events and doing inspections. Last year the Glenburn generated about \$25,000 in income. The cost for the custodian for the Glenburn and the Community Center was about \$10,000. Mayor Budesheim asked the Council to email him with any questions and he would try to have them attend the workshop meeting so a decision could be made.

Mayor Budesheim also reported that he had been working the Grande and they are looking for a reduction in the water bill. He didn't see why they should however he looked at the sewers and feels it should be adjusted for the sprinkler system and the pool. The next billing is October 1<sup>st</sup> and we should get it resolved by then.

**BOROUGH CLERK REPORT:** No report.

**BOROUGH ATTORNEY REPORT:** No report.

**COMMITTEE REPORTS:**

**FINANCE:** No report.

**PUBLIC SAFETY:** No report.

**PUBLIC WORKS:** No report.

**COMMUNITY RELATIONS:** No report.

**BUILDINGS AND GROUNDS:** Councilman Astarita reported on Shade Tree. We've started going through town and taking down those trees designated as a danger and it should be completed soon.

**PERSONNEL:** No report.

**AUDIENCE PARTICIPATION NO 2:**

Glenn Venza, Macopin Avenue, stated that he saw a fairly late model police vehicle that was chopped up at the firehouse parking lot which he heard was done at the Jr. Police Academy. He said it would make sense if we could sell that vehicle and come up with a junker to do this with and asked the Police and Fire Chief why that was done.

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

Chief Smith responded that the car had a seized engine and no resale value and the council gave approval at the July meeting.

Mr. Venza also asked about an incident he read in the police blotter where someone was carrying an expired touring privilege and wanted to know what we do with that.

Chief Smith responded that ICE would not be called because touring privileges is a motor vehicle offence and they do not get involved with that.

Meg Sturm, 10 Munn Avenue, spoke in favor of the chicken ordinance and why it is very important to her and her family.

Councilman Mastrangelo asked if could make the motion again to adopt the ordinance. Borough Attorney Bryce stated that the ordinance would need to be put on an agenda and re-introduced. Council agreed the ordinance should be put on the next agenda for introduction.

Dave Desai, 22 Cotluss Road, spoke about the towing ordinance and stated his concerns with the restriction that the tower must be located in town.

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 Mastrangelo to adjourn the meeting.

**ALL IN FAVOR.**

Adjourned: 9:27 p.m.

Respectfully Submitted:

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Abubakar T. Jalloh  
Municipal Clerk