

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, Guis, Mastrangelo, Wetzel, Carelli  
Absent: None**

**Also Present: Police Chief Smith, 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:**

Regular Meeting - September 16, 2013  
Workshop Meeting - October 7, 2013

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

**ALL IN FAVOR**

**Abstain: Carelli (September 16th only)**

**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 12-2013**

**BOND ORDINANCE OF THE BOROUGH OF RIVERDALE, NEW JERSEY, AMENDING IN ITS ENTIRETY BOND ORDINANCE NUMBER 4-2010, FINALLY ADOPTED MARCH 15, 2010, AS AMENDED AND SUPPLEMENTED BY BOND ORDINANCE NO. 8-2012 FINALLY ADOPTED DECEMBER 3, 2012 AND AS FURTHER SUPPLEMENTED BY BOND ORDINANCE NO. 5-2013 FINALLY ADOPTED APRIL 15, 2013**

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

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

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

**ALL IN FAVOR**

**ORDINANCES (continued):**

Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED** that Ordinance No. 12-2013 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 118-A**

2)     Public Hearing and Adoption of an Ordinance entitled:

**ORDINANCE 14-2013**

**ORDINANCE AMENDING CHAPTER 26 OF THE REVISED  
 GENERAL ORDINANCES OF THE BOROUGH OF RIVERDALE  
 AND AMENDING THE RESIDENCY REQUIREMENTS FOR  
 MEMBERS OF THE RIVERDALE FIRE DEPARTMENT**

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**

Councilman Falkoski set forth the motion, seconded by Councilman Astarita, **RESOLVED** that Ordinance No. 14-2013 as read on second reading at this meeting, be adopted and finally passed.

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

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 118-B**

**RESOLUTIONS:**

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

- 1)     Payment of Claims. (including the following)
  - a.   Darmofalski Engineering     TCR Escrow                             \$ 120.00
  - b.   J C Network Solutions        A&E & Police o/e                         \$ 600.00
- 2)     **Resolution No. 75-2013;** Resolution Accepting Developer’s Agreement and Performance Guarantee (Anthony Pio Costa Subtrust B – Block 36.01, Lots 13 & 14 – Windbeam Road.
- 3)     **Resolution No. 73-2013;** Declaring the month of November as “Pancreatic Cancer Awareness Month” in the Borough of Riverdale.
- 4)     Authorization of extended hours request for The Sports Authority located on Route 23 North to remain open until 12 am on Thanksgiving Day, November 28, 2013 and to open on November 29, 2013 at 5 am. Fee has been paid.

**RESOLUTIONS (continued):**

- 5) Authorization of extended hours request for Best Buy located on Route 23 North to open on November 29, 2013 at 12 am. Fee has been paid.
- 6) Authorization of extended hours request to Wal-Mart located on Route 23 North to be open from November 28, 2013 at 7 am through 12 midnight on November 29, 2013. Fee has been paid.
- 7) **Resolution No. 74-2013;** Approval of 2013/2014 Liquor License for Dexter’s Inc. c/o Robert Paige that has received a “Special Ruling” from the Division of Alcoholic Beverage Control approving the renewal of this license for the 2013/2014 license term.
- 8) Approval of the following engineering proposals for work to be performed by Darmofalski Engineering Associates, Inc.:
  - a. Glenburn – 20 hours to date = \$2400. (explanation of work and hours has been transmitted to governing body with agenda as requested at workshop meeting.
  - b. Overlook and drainage – 16 hours to date = \$1920. Estimated future hours – 10 hours = \$3,120.
  - c. Sewer Pump Station Inspections – 76 hours to date = \$5320. Estimated future hours – 20 hours = \$2400. Total sewer pump station \$7720.
- 9) Approval of the payment of the following invoices:
 

a. Darmofalski Associates	Riverdale Pump Station	\$5,320.00
b. Darmofalski Associates	Glenburn/Overlook/Drainage	\$4,320.00
c. Darmofalski Associates	Riverdale Pump Station	\$1,050.00

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

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 119-C, D, E AND F**

**UNFINISHED BUSINESS:**

- 1) PBA Random Drug Testing – discussed at October 7<sup>th</sup> workshop meeting.

Mayor Budesheim stated the Police Chief has been working on a policy and it will be forwarded to everyone when it is complete.

- 2) DPW – Determination of where the responsibility lays for the water/sewer lines for major projects – discussed at the October 7<sup>th</sup> workshop meeting.

Councilman Guis stated that we know exactly what we want to do and we need to get it documented.

- 3) Building Department – Shared Services – discussed at the October 7<sup>th</sup> workshop meeting.

Mayor Budesheim stated there is nothing to discuss on the building department.

- 4) Purchase of DOT Property located at the Magnus Tract from the DOT for an amount of \$15,000 to \$16,000 – discussed at the October 7<sup>th</sup> workshop meeting.

Mayor Budesheim stated we are still waiting for an exact price from the DOT.

- 5) Alternates to the seepage pit at the Borough Garage – discussed at the October 7<sup>th</sup> workshop meeting.

**UNFINISHED BUSINESS (continued):**

Councilman Guis stated the markouts are done. We're waiting for an opportunity for the soil log to be dug and we'll keep going.

- 6) Street sign parameters – discussed at October 7<sup>th</sup> workshop meeting.

Councilman Mastrangelo stated he made a few changes to the policy. The Borough Clerk will prepare a resolution for approval. There was discussion regarding creating a policy manual.

**OTHER BUSINESS:**

- 1) Request from the low bidder for the municipal building roof bid asking for approval to withdraw his bid of \$69,999 due to his miscalculating the materials needed for the project. The price did not include the cost of the Versico material in the amount of \$18,304 which was accidentally not included in the sum of all individual items that were to be included in the final price. (Letter of withdrawal and Borough Attorneys letter regarding withdrawal transmitted to governing body with agenda)

Borough Attorney Oostdyk explained the statute and his opinion regarding the request to withdraw the bid. It is up to the governing body to agree to accept or not accept the withdrawal request. We can go with the next lowest bidder and are not required to re-bid. Borough Clerk Talerico stated the second lowest bid was from Gen II Contracting in the amount of \$83,630.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilman Carelli, to accept the withdrawal of the bid from Mak Group LLC, and to award the bid for the reproofing of borough hall to the next lowest bidder, Gen II Contracting Co., Inc. of Clarksburg, NJ in the amount of \$83,630.00, subject to attorney review.

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

**BOROUGH CLERK REPORT:** No Report.

**MAYOR REPORT:**

Mayor Budesheim reported on some unexpected expenses. We had a sewer issue on Riverdale Road where the pumping station broke down. We needed emergency repairs, the muffin monster is destroyed and we need new pumps. There was a lot of debris found in the pumps and it is costing tens of thousands of dollars for repairs. Sewer Engineer Bill Ryden is working on plans to go out to bid on replacing the pumps. On Columbus Day we had a water main break at BJ's and we have no idea how many hours that was running. That was another emergency repair. Council discussed a possible sewer surcharge on the users of the pump stations. Borough Attorney Oostdyk will look into the matter.

**COMMITTEE REPORTS:**

**FINANCE:** No Report.

**PUBLIC SAFETY:** No Report.

**PUBLIC WORKS:** No Report.

**COMMITTEE REPORTS:**

**COMMUNITY RELATIONS:** Councilwoman Wetzel reported that December 20<sup>th</sup> is the date chosen for the holiday concert with Leanne Weiss. Details to follow.

**BUILDINGS AND GROUNDS:** Councilman Astarita reported on the library roof which is leaking in several places. I called five roofers and two sent estimates. Absolute Construction estimated \$24,000 and Kovach Roofing estimated \$21,500 for the entire roof. The specs are almost identical and I recommend this be done. It was decided to wait until the next meeting.

**PERSONNEL:** No Report.

**BOROUGH ATTORNEY REPORT:**

Borough Attorney Oostdyk stated that we don't have to go into closed session to report that the Bogert vs. Borough of Riverdale and Mayor William Budesheim complaint was filed and has been forwarded to our insurance company. I've read it and it does seem that our insurance company should be defending us. Councilwoman Wetzel stated her concerns with the cost of defending the borough especially since this seems to be a personal matter between the two parties. Borough Attorney Oostdyk stated that the complaint is certainly phrased as a borough related complaint. There is \$5,000 insurance deductible. Councilwoman Wetzel asked if that was the only cost or if this would cost the taxpayers more to defend this case. Borough Attorney Oostdyk suggested we wait for the insurance company's response and then we can better answer questions. The Borough Clerk will provide copies of the complaint to the Council and discussion will take place at the next meeting.

**MAYOR REPORT (continued):**

Mayor Budesheim stated that we still need to hire a bookkeeper. The last two times I brought up the name of Carla Mecionis and it was voted down. Under state law every appointee in this town is mine. I have been supportive of the choices made in Recreation, the Police Department and the DPW and I do not interfere. That's how it's always been and never before have I seen any controversy come up of a position like bookkeeper. This person reports to me and I wanted at least six weeks of training. Now we're down to maybe seven days. I am for the third and last time offering the name of Carla Mecionis to be our bookkeeper so we can hopefully get her trained. We have payroll coming up and our next meeting will be after Donna leaves.

Councilwoman Wetzel stated the reason for her last two votes. Councilman Falkoski and our current bookkeeper were involved in the interview process. Councilman Falkoski felt that a second candidate was better qualified and she is a bookkeeper, whereas the first candidate wasn't. The recommendation from our current bookkeeper also was that the second name offered was better qualified.

Mayor Budesheim stated that the bookkeeper's second choice was not the person with the bachelor's degree in accounting but the manager of a local tavern. That sort of disqualified her credibility.

Councilman Astarita asked if our CFO was involved at all. Councilwoman Wetzel stated that we asked for him to meet with her. Mayor Budesheim stated that Ken doesn't work with anybody directly. He's a three hour a week part time employee. I explained both situations to him and he feels either one would work.

Councilman Falkoski stated that he will vote yes because he knows we need someone in place and the more we delay the longer we will not have anyone in place. If this is the

**MAYOR REPORT (continued):**

only name that is going to be offered at this point she does have some qualifications so I will vote yes.

Thereupon, Councilman Mastrangelo set forth the motion, seconded by Councilman Astarita, to approve the Mayor's appointment of Carla Mecionis as a part-time bookkeeper not to exceed 25 hours per week at a starting salary of \$12.00 per hour and \$15.00 per hour beginning November 1<sup>st</sup> with a 6 month probationary period.

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

Councilman Carelli stated that he's very disappointed. We made it clear five weeks ago that we weren't going to hire this person. We voted again two weeks ago and nothing's been done in the meantime. We placed an ad that was ridiculous, other than the qualifications, with an hourly rate so you weren't going to find anybody. I offered in writing that there are firms out there and people we can get but I wasn't reached out to. I could have somebody here tomorrow. Of course we don't ask because we made up our mind that we want this person. In usual fashion we bring it up once, we bring it up twice, until finally you just wear everyone out. I think it's a big mistake and I think you're underestimating the job. I know what this job is because I deal with it every day. It's a little more than a bookkeeper. It's an accounts payable clerk, they have to know purchase orders, requisitions and there are plenty of people who could have stepped in if we made a legitimate advertisement and found somebody.

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

**ALL IN FAVOR.**

Adjourned: 8:20 p.m.

Respectfully Submitted:

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