

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, Loesner, Wetzel, Carelli**  
                           **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       -       July 19, 2010  
 Workshop Meeting     -       August 2, 2010

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:**

Mayor Budesheim stated that many members of the public are here as a result of an article that appeared in the newspaper yesterday regarding the possible merging of the Riverdale and Butler Police Departments. He stated that no decision at all has been made. All over the country and state there are articles about sharing services, consolidations and mergers. There is a commission to study these things and we've been told there's a report coming out which labels Riverdale as not meeting the FBI standards to have its own police department. We are unique and probably quintuple our population during the day. However, we were approached by Butler and are looking to see if this is something that would work for Riverdale. With the permission of the Council I would like to see this on the ballot in November as a non-binding referendum to see whether we should pursue this. This is not something we want to do and we do not yet have all of the information we need. What we are looking at now is whether there is likelihood down the road the state will mandate us to merge with another police department. The proposal we are looking at would disband both police departments and form a new one. Being the smallest town around, we are trying to avoid being absorbed by the larger towns with any of these mergers. If this should happen we would want to try to make the best deal. We met with our policemen last week and they have a lot of valid concerns. Our Chief met with the Butler Chief to make sure the proposed organization chart works. We are at the agreement level to start looking into it and I'm going to ask the Council for their permission to continue to study this. Right now we're looking at possibly \$600,000 to \$700,000 in savings and that is not something we can walk away from without looking into it. Our due diligence is to first of all make sure you get the right police protection. Mayor Budesheim then opened the meeting for public comments and questions. The following audience members were heard:

Paul Purcell	Frank LoPorto	Kelly Delia	Officer Kevin
Scott Trowse	Caroline	(Mike's Feed	Smith
Marty Singer	Polhemus	Farm)	Captain John
Dave Desai	John Nolan	Angela Torrez	Peine
Donna Feduccia	Steve Schaub	Vinnie Salvati	Leonard (?)
Marybeth Miller	Chris Polhemus	Officer Pat	
Sam Dedio	Dan Sciarra	Harden (PBA	
Michael Kheypets	Sherry Fritsch	President)	
Pat Salvati			

**PUBLIC PARTICIPATION NO. 1 (continued):**

Residents who spoke were opposed to a merger or to a merge with Butler. Their concerns included reduced police presence and protection in Riverdale and that would not be worth any potential cost savings. There were a lot of questions and Mayor Budesheim stated that we don't have answers to all of the questions yet. He emphasized that the only reason we are looking into this is the possibility that the decision to merge with another town may be forced on us by the state and we would have no control. We can try a joint meeting with Butler where we can preserve as many jobs as possible with equal representation and have a management committee. If our police department can show us that this will not work it stops right there.

Riverdale Officer and PBA President Pat Harden stated they are very opposed to this and safety is in jeopardy if this happens. He stated that all of the events they do in town are on their own time and you're not going to get that from Butler. Sergeant Kevin Smith read the concerns of the PBA and a copy of the letter was presented to the Mayor and Council.

**COPY OF LETTER PRESENTED TO COUNCIL IN FULL ON PAGE NO. 71-A**

Officer Harden asked why we would continue talking about this with Butler if the police department is willing to take the risk and the residents don't want this. Mayor Budesheim stated that the responsible thing is to continue getting information so we can present it to the people as a referendum so they can make an informed decision. The purpose of tonight's meeting was for the PBA and Governing Body to go over the issues so we can present our concerns to Butler. We don't have all the answers yet. He said that when he met with our police officers he told them "I hope you prove that this doesn't work". "Didn't I?" he asked Officer Harden. Officer Harden agreed that he had said that but he also told them it was their job to find out why it won't work. Mayor Budesheim said that was correct because they are the ones who are on the road. I hope you can prove that this doesn't work and I still stand by that.

Councilwoman Wetzel stated that we need a lot more information and doesn't think the Council should be asked to make a yes or no decision based on what we know now. We would be negligent if we did not explore this. It's our responsibility to do what's best for every resident in the town and not just the department. If it is put on a referendum it gives us a much better idea of the right way to make a decision.

Councilman Astarita stated the Mayor is being proactive to look at possibilities in case something should occur. In my opinion, Plan A is keeping our police department. However, reality is there is the possibility that the state will at some point force this. Our job is to protect the residents and protect our police. We are not looking to disband our police department to save money. I don't have any information on the Butler plan so I can't make a decision on that today. I can say I support the police department and don't want to see it disbanded, but we have to explore other options if something like a state mandate should occur.

Councilman Falkoski stated this he is Chairman of the Public Safety Committee and was asked to attend a meeting two weeks ago to discuss this. The Mayor has some points that may be valid. The state has been pushing for mergers and consolidations. Two weeks ago I knew nothing so I gathered information so I could study it. LUARCC was formed in 2007 to study consolidations and mergers and recommend legislation. There's no existing legislation to do it but legislation was passed in 2007 to make it easier. There are 3 or 4 different versions within that legislation. Butler approached this with the idea as a joint meeting. They are civil service and we are not. You have to form a separate autonomous committee to manage this department. The towns would have a joint contract as to how they are going to fund this. Each town would be eligible to elect one

**PUBLIC PARTICIPATION NO. 1 (continued):**

person to this committee and they would decide who the third person would be. If it doesn't work out, the only way you can disband it is for both towns to agree. If one town is benefiting more than the other that will never happen. When I first got into this I was open minded but I have some concerns. There seems to be an urgency to do something because the state is going to force us to merge with another department. That would not happen overnight. Legislation would have to be formed and that takes time. If we move forward at this point and we're the first town to send a plan to the state, we could become the poster child for this. That's what I'm a little upset and nervous about. Believe me; I know this is a great police department.

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

**ALL IN FAVOR.**

Thereupon, Mayor Budesheim asked the Council whether discussions should be ended tonight or whether we should gather more information.

Councilman Astarita stated that after hearing of Councilman Falkoski's research, he would vote at this point to end it until we get a mandate or further information from the state.

Councilwoman Wetzel stated that if we have to a made decision tonight, we should vote to end it but on our own time we should still gather information that we may need in the future.

Councilman Carelli stated he agreed with Councilwoman Wetzel.

Councilman Falkoski stated he agrees.

Councilman Loesner said to kill it.

Councilman Guis agreed with Councilwoman Wetzel.

Consensus of the Council was to end discussions with Butler regarding the possible merger of police departments.

Mayor Budesheim announced a 5 minute recess at 9:20 p.m.

**BACK TO ORDER AT 9:30 P.M.**

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

**PUBLIC HEARING – CABLEVISION OF OAKLAND, LLC'S APPLICATION FOR MUNICIPAL CONSENT FOR THE RENEWAL OF THE CABLE TELEVISIONS FRANCHISE IN THE BOROUGH OF RIVERDALE.**

Don Viapree, Director of Government Affairs for Cablevision was present.

Mayor Budesheim opened the meeting to the public.

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

**PUBLIC HEARING – CABLEVISION (continued):****ALL IN FAVOR.**

Mayor Budesheim stated that we used to get free television service at our firehouse. After weeks of working to get telephone service we were told Cablevision didn't want to do it because of our Police Department. The reason was if our phones go down people may sue because they can't get through. They did switch the Fire Department phones and then took away our free television service. Mr. Viapree stated we should still get free cable TV and he will have a discussion with Gary Shaw. Mayor Budesheim asked what benefits we would get for granting this franchise. Mr. Viapree stated someone appointed by the borough will start negotiating with Gary Shaw. Councilman Falkoski stated that as of September 2<sup>nd</sup>, Cablevision is no longer providing ABC or ESPN. Mr. Vipree stated that is not true; it is Time Warner. Councilman Falkoski stated he and his neighbors have problems with picture and sound on regular network stations on a regular basis. He also asked about a new station that he was not able to access. Mr. Viapree stated that someone would check the signal levels in that area.

**RESOLUTIONS:**

Mayor Budesheim stated that we will save between \$3,300 and \$4,000 over JCP&L rates using AvatarSuez Energy.

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

- 1) Payment of Claims. Including the following:
  - a) Picatinny Arsenal Recreation Trip \$ 200.00
- 2) Approval of payment from Escrow to the following:
  - a) Darmofalski Engineering Assoc. Alexan at Riverwalk \$ 115.00
  - b) Darmofalski Engineering Assoc. Rock Creek Crossing \$ 115.00
  - c) Anderson & Denzler Associates Alexan Riverwalk \$ 740.00
- 3) **Resolution No. 57-2010**; Approval of Bid threshold increase - \$36,000.
- 4) **Resolution No. 58-2010**; Approval to submit a grant application and execute a grant agreement with the NJDOT for the Mathews Avenue Improvements.
- 5) Approval of award of bid for the ADA bathroom construction in the Glenburn Barn to Dell-Tech, Inc. 930 New York Avenue, Trenton, NJ 08638 in the amount of \$34,000. (2 requests for proposals were sent out – Dell-Tech responded and Schtiller & Plevy, 693-95 South 12<sup>th</sup> Street, Newark, NJ declined submittal of bid)
- 6) Approval of the release of escrow fund balance to Bryon Coursen – Cotluss Development LLC as approved by Paul Darmofalski, Borough Engineer.
- 7) Approval of contract with Avatar Energy Center – Suez Energy for electric service.

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

**COPY OF BILLS LIST AND RESOLUTIONS IN FULL ON PAGE NO. 72-B, C, AND D**

**COMMITTEE REPORTS:**

Councilman Falkoski reported the Court Report for July 2010. He also reported on a letter of commendation from Detective Captain Rich Roemmele for Patrolmen Pat Harden and Joe McDermott for their response and actions during a shoplifting incident.

**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: 9:48 p.m.

Respectfully Submitted:

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