

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:** **Falkoski, Guis, Loesner, Wetzel, Carelli**
 Absent: **Astarita (sick)**

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

APPROVAL OF MINUTES DATED:

Regular Meeting	-	December 21, 2009
Special Meeting	-	December 29, 2009
Reorganization Meeting	-	January 4, 2010
Workshop Meeting	-	January 4, 2010

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

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

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:

Mayor Budesheim stated that this ordinance would supersede fines set in any municipal ordinances.

- 1) Thereupon, Councilman Falkoski set forth the motion, seconded by Councilwoman Wetzel, to introduce the following ordinance and moved its adoption.

ORDINANCE 01-2010

**ORDINANCE AMENDING THE REVISED GENERAL
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND
 PROVIDING FOR PENALTIES FOR VIOLATIONS OF
 MUNICIPAL ORDINANCES**

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

COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 7-A

RESOLUTIONS:

Mayor Budesheim stated that Resolution No. 14 provides the funding for Resolution No. 12. He also stated that John Scialla will be appointed permanent Construction Code Official with the understanding that when Mr. Montemarano returns, he will resign that position. Mr. Montemarano will be staying on as Building Inspector and Building Sub Code Official.

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

- 1) Payment of Claims, excluding \$346,594.41 for English Paving.
- 2) Payments from Escrow Accounts as follows:
 - a) Darmofalski Engineering Alexan at Riverwalk \$1,840.00
- 3) Approval of payment to New York Susquehanna & Western Railway Corp. in the amount of \$3,300.00 per settlement agreement with the Borough of Riverdale.
- 4) Approval of 2010 Towing License for Malanga's Automotive, Inc. Application fee has been paid.
- 5) **Resolution No. 10-2010** – Professional Services Agreement – Richard Clemack, Esq., Special Council, and Tax Appeals.
- 6) **Resolution No. 11-2010** – Professional Services Agreement – VM Associates, Inc. Auditing Services.
- 7) **Resolution No. 12-2010** – Professional Services Agreement – Darmofalski Engineering Associates, Inc. Engineering Services.
- 8) **Resolution No. 14-2010** – Professional Services Agreement – Johnson, Murphy, Hubner – Robert H. Oostdyk, Esq. Legal Services.
- 9) **Resolution No. 15-2010** – Professional Services Agreement – Planning Services.
- 10) **Resolution No. 16-2010** – Professional Services Agreement – Bond Counsel.
- 11) **Resolution No. 17-2010** – Professional Services Agreement – Barbarula Law Offices – Legal Services.
- 12) Approval of award of Sewer Extension & Pump Station on the Hamburg Turnpike in the amount of \$236,000 for which a portion of the project will be paid by an \$80,000 grant from Community Development. The remaining portion funds will be certified as available by the Finance Officer. Authorization is subject to Mayor's approval of details & terms of contract. (This project is part of the Hamburg Turnpike Sewer Project – a copy of proposal transmitted to Mayor and Council with agenda)
- 13) Mayor to appoint John Scialla as permanent Construction Code Official, Construction Sub Code Official and Building Sub Code Official.
- 14) **Resolution No. 18-2010**; Emergency Temporary Appropriations.

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

COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 8 – B, C, D, E, F, G, H, I AND J

CORRESPONDENCE:

- 1) From Edward J. Buzak, The Buzak Law Group advising that with regard to their letter dated October 13, 2009 reminding the Borough of Riverdale of the approaching deadline of December 31, 2009 for (i) purchase the additional sewerage capacity of 150,000 gpd from the Borough of Lincoln Park; (ii) alternatively extend the option to acquire said gallonage through December

CORRESPONDENCE (continued):

31, 2010; or (iii) relinquish the right to purchase any additional capacity. Inasmuch as there has been no acquisition of additional gallonage or an extension of the option, this letter shall serve to confirm the termination of rights of the parties under the original Sewerage Capacity Purchase Agreement as the same relates to the purchase of the additional gallonage. (copy of correspondence transmitted to Mayor and Council with agenda).

Mayor Budesheim stated that this letter confirms we are not exercising our option to purchase the additional gallonage from Lincoln Park.

- 2) A request from Sam Dedio, Water/Sewer billing clerk, requesting the purchase of one new Neptune DAP CE 5320B Handheld water meter reading device in the amount of \$6,500 and in addition System Maintenance Package in the amount of \$3,150, which would eliminate the Software Bundle cost of \$3,600 and get the upgrade program and the software would be included plus get the rest of the year's support at no additional charge. Sam advised that the reader that is being used now is antiquated and has caused billing errors.

Councilman Falkoski set forth the motion, seconded by Councilman Guis, to approve the purchase of one new Neptune DAP CE 5320B Handheld water meter reading device in the amount of \$6,500 and in addition System Maintenance Package in the amount of \$3,150.

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

- 3) Deborah Hirt, Regional Manager, Office of Community Relations, DOT, requesting a letter of support for the Route 23/Cotluss Road pre-emption signals. Ms. Hirt expressed that if the letter of support is not received from the towns and organizations the pre-emption signals will most likely be removed. She also noted that in the past the Borough of Riverdale did not respond to this request because the Target interior service road had not been completed. (sample letter transmitted to Mayor and Council with agenda).

Mayor Budesheim stated that we have no problems with this as long as the activation of the internal light isn't dependent on that. Target has sent a resolution stating they are no longer requesting the activation of that internal light.

Councilman Falkoski set forth the motion, seconded by Councilman Guis, to authorize a letter of support for the Route 23/Cotluss Road pre-emption signals, with the condition the activation of the interior road light is not a condition.

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

Councilman Guis added the following correspondence:

- 4) Pop-A-Lock estimate to upgrade the fire alarm panel in the firehouse. (copy of letter distributed to Mayor and Council).

Fire Chief Dan Sturm explained the need for the new fire alarm system. There was discussion regarding having our own central station monitoring in the future. Councilman Guis stated this system is fully compatible with that.

CORRESPONDENCE (continued):

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to approve the purchase of a fire alarm system for the firehouse from Pop-A-Lock for a total cost of \$2,453 subject to the CFO determining the appropriate account for withdrawal, and central station monitoring on a month to month basis for \$30 per month.

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

RESOLUTIONS (continued):

Mayor Budesheim stated that we are paying for a state test to determine if the resurfacing work done by English Paving is within state standards. If it isn't, they will have to correct the problem. The Mayor recommended English Paving's invoice be approved for payment subject to the results of this test. Councilwoman Wetzel asked the cost of the test. Mayor Budesheim stated the cost is approximately \$2,000 and we are responsible for it because we are making the claim. It will be paid with grant money. He said we may have to release some money because remediation would not be the full amount. Borough Attorney Oostdyk stated that we would get a maintenance bond. Mayor Budesheim stated we have to approve this payment within 30 days.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilman Guis, to approve payment to English Paving in the amount of \$346,594.41 subject to the results of the state test to determine if the work is within state standards.

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

OTHER BUSINESS:

- 1) Consideration of disposing of two vehicles from the Building Department; 1) 2000 Pontiac Grand Am and 2) 1999 Chevrolet Tahoe.

Mayor Budesheim stated the vehicles are on the insurance for the remainder of the year and there could still be a use for them.

- 2) Recent survey of computers in the Administrative office it was determined that the Court computer is a ten year old Acer computer that is still operating on Windows 98 which Microsoft considers and unsupported operating system which determines the system to be non upgradable. Therefore a request to purchase a new OptiPlex 360 minitower for a cost of \$768.17.

Council was in agreement to approve the purchase of the computer.

Mayor Budesheim stated that we need new vehicles and Sergeant Bogert has found a company that leases police vehicles to municipalities. They have provided a cost breakdown for leasing three new Chargers and they can be paid for at any time without penalty. If we lease for twelve months it would cost approximately \$1,000 per car per year in interest. Next year there will be more flexibility in the budget. The cost to lease three cars is \$1,250 per month. Our plan is to keep one car in storage. Councilman Carelli asked why we would buy three and not use one. Mayor Budesheim stated that they don't make the Chargers any longer. Councilman Guis commended Sergeant Bogert for coming up with the leasing option and said it is a good solution for our situation. Borough Attorney Oostdyk questioned the length of the lease and asked if the lease

OTHER BUSINESS (continued):

arrangement was part of the State Contract. To be under the bid limit, it would have to be a one year lease and we would have to do it knowing it was for one year. Mayor Budesheim stated the payout for all three vehicles after one year is \$54,000. Sergeant Bogert described the condition of the current cars and equipment. Borough Attorney Oostdyk was concerned with bidding since the pricing is set up as a five year lease. Mayor Budesheim asked Sergeant Bogert to obtain pricing based on a twelve month lease.

Thereupon, Councilman Guis set forth the motion, seconded by Councilman Falkoski, to approve leasing three Chargers for the Police Department at a cost of \$1,250 per month, subject to the Borough Attorney and Borough Clerk verifying the lease contract is under the bid threshold.

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

MAYOR REPORT:

Mayor Budesheim reported that January 30th is the First Aid Squad's 75th Anniversary dinner. He informed the Council of joint gift possibilities he had discussed with Pompton Lakes Mayor Cole and asked for input.

Thereupon, Councilman Carelli set forth the motion, seconded by Councilwoman Wetzel, to approve the purchase of a gift for the First Aid Squad's 75th Anniversary in the amount not to exceed \$2,000.

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

COMMITTEE REPORTS:

Councilman Falkoski reported on major repairs being done to a ladder truck that are covered by warranty. He asked the Borough Attorney whether the repairs themselves could be warranted. Borough Attorney Oostdyk stated that we would likely need to purchase an extended warrantee. Fire Chief Sturm will obtain pricing on repairs and an extended warrantee. Councilman Falkoski also reported the court report for the month of December.

Councilwoman Wetzel reported on plans to organize a community project to benefit earthquake victims in Haiti. If anyone has suggestions or contacts, please let her know.

Councilman Loesner reported that he is in the process of interviewing people regarding personnel issues. He will meet with the Court Clerk and Municipal Judge next Thursday. There are apparently discrepancies between the employee handbook and our ordinances which we will work to bring into line with each other.

PUBLIC PARTICIPATION NO. 2:

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

ALL IN FAVOR.

ADJOURNMENT:

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

ALL IN FAVOR.

Adjourned: 8:10 p.m.

Respectfully Submitted:

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