

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, Bush, Falkoski, Guis, 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       -       November 16, 2009  
 Workshop Meeting    -       December 7, 2009

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

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

**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 14-2009**

**ORDINANCE AMENDING THE REVISED GENERAL  
 ORDINANCES OF THE BOROUGH OF RIVERDALE AND  
 CLARIFYING THE REQUIREMENT FOR A CERTIFICATE OF  
 CONTINUED OCCUPANCY FOR RESIDENTIAL RENTAL  
 DWELLINGS CONTAINING FOUR UNITS OR MORE**

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 Councilwoman Wetzel, to close the public session.

**ALL IN FAVOR**

Councilman Falkoski spoke regarding a letter Mayor Budesheim received from Drinker, Biddle & Reath, a firm representing Trammel Crow Residential, which raises concerns and objections to the ordinance. The letter states the proposed licensing fee is excessive. Mayor Budesheim stated that he had discussed the letter with Brian Cheripka of TCR. We are concerned with stacking. The ordinance exempts dwellings with less than four units because they are often owner occupied and control the number of tenants. This is

**ORDINANCES (continued):**

something the tax payers cannot afford to monitor. Councilman Falkoski stated that TCR is building 212 rental units and that times \$200 each seems like more than would be required to make the inspections. Mayor Budesheim stated that we could adjust the fees after a year's experience. He said the town has a responsibility to the people who rent apartments to be sure they meet housing and fire standards. There was a discussion regarding the enforcement, startup and administrative costs of inspections.

Thereupon, Councilman Astarita set forth the motion, seconded by Councilwoman Wetzel, **RESOLVED** that Ordinance No. 14-2009 as read on second reading at this meeting, be adopted and finally passed.

**ROLL CALL:**       **Ayes:    Astarita, Bush, Falkoski, Wetzel, Carelli**  
                           **Nays:    Guis**  
                           **(5 ayes – 1 nay – motion carried)**

**COPY OF ORDINANCE AND RESOLUTION IN FULL ON PAGE NO. 95-A****RESOLUTIONS:**

Councilman Falkoski asked for clarification of resolution 13. Borough Attorney Oostdyk explained that we came to an agreement after mediation. Councilman Astarita asked for clarification of the decision to re-bid for Recycling Collection. Borough Attorney Oostdyk explained the bid specifications were not specific that we want some of the recycling to be done with compacting equipment.

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

- 1) Payment of Claims.
- 2) Payments from Escrow Accounts as follows:
 

a) Darmofalski Engineering	Alexan at Riverwalk	\$5,836.00
b) Anderson & Denzler Assoc.	Alexan at Riverwalk	\$1,566.35
- 3) **Resolution #99-2009;** Transfer of Appropriations.
- 4) **Resolution #100-2009;** Temporary 2010 Appropriations.
- 5) **Resolution #101-2009;** Cancellation of Prior Year Outstanding Checks.
- 6) **Resolution #102-2009;** Cancellation of Various Balances.
- 7) **Resolution #103-2009;** Refund of Tax Overpayments – Bl 40, L 2.6115 - \$999.55.
- 8) **Resolution #104-2009;** Refund of Tax Overpayments – Bl 3, L 1.03 - \$507.62.
- 9) **Resolution #105-2009;** Approval of Settlement of Tax Appeal for Abroumi, Yassin Block 37, Lot 9.
- 10) Approval of Award of Solid Waste Bid received on December 9, 2009 to Blue Diamond for a five year period with the option of two collections from the compactor sites with the property owner supplying the equipment in the amount of \$318,000.00, which computes to \$5,300.00 per month.
- 11) Approval of the decision to re-bid the Recycling Collection bid received on December 9, 2009 due to an issue of the bid not containing a provision requiring a pick up of compacted materials from the multifamily sites that did not become apparent until after the bids were received. (copy of Borough Attorney letter distributed to Governing Body with agenda)
- 12) Approval of 2010 Dial-A-Ride Cooperative Shared Services Agreement for a term to commence on January 1, 2010 and shall terminate on December 31, 2015. (copy of agreement distributed to Governing Body with agenda)

**RESOLUTIONS (continued):**

- 13) Approval of settlement between the Borough of Riverdale and the New York Susquehanna Railroad.
- 14) Approval of 2010 Towing License for A to Z Services, Sky Ball – 3 Mathews Avenue, Riverdale, upon review and approval of Police Chief. Applicable fee has been paid.

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

**COPY OF BILLS LIST AND RESOLUTION IN FULL ON PAGE NO. 96 – B, C, D, E, F, G, H AND I**

Mayor Budesheim asked for consent of the Council to look for a specialists in Sewer Engineering and in Accounting to assist with pinpointing and remediating the I & I problems with our sewers.

Thereupon, Councilman Falkoski set forth the motion, seconded by Councilman Guis, to give consent for Mayor Budesheim to look for specialists in Sewer Engineering and Accounting to assist with pinpointing and remediating the I & I problems with the sewers.

**ALL IN FAVOR****COMMITTEE REPORTS:**

Councilman Falkoski reported the court report for the month of November.

Councilman Astarita reported the Community Development Block Grant application deadline is January 8<sup>th</sup>.

**PUBLIC PARTICIPATION NO. 2:**

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

**ALL IN FAVOR.****ADJOURNMENT:**

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

**ALL IN FAVOR.**

Adjourned: 8:10 p.m.

Respectfully Submitted:

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