

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF SADDLE RIVER  
HELD MAY 19, 2014**

**PRESENT:** Mayor Raia, Council President Toomey, Council Members: DeCrosta, Gray, Kerner, Kurpis, Walenczyk, Borough Clerk Macari, Borough Attorney Huntington

**ABSENT:**

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**PRESIDING:** Mayor Raia called the meeting to order at 7:15 p.m.; Borough Clerk Macari read the following statement:

**PUBLIC NOTICE:** "Notice of this meeting in compliance with the Open Public Meetings Act Chapter 231 of the laws of 1975, has been given by posting a notice of the scheduled dates of all regular meetings of the Mayor and Council of the Borough of Saddle River on the bulletin board in the Municipal Building and in the office of the Borough Clerk and by emailing a notice thereof to the Ridgewood Newspapers and The Record on December 23, 2013, the Borough website and also via E-Notify.

**NOTIFICATION OF FIRE EXITS**

**PLEDGE OF ALLEGIANCE:**

**AWARDS AND CEREMONIES:**

**WORK SESSION:**

**MAYOR RAI:**

**Mayors' Conference:** Mayor Raia stated *that the two percent interest arbitration legislation was* addressed at this meeting as well as shared services. The Cadillac Tax, a 40% excise tax on high cost health plans, could affect municipal employees should they elect to not use the basic health care plan.

**Northwest Bergen Mayor's Meeting:** Mayor Raia stated that shared services were addressed and all were in agreement that one item should be chosen to address and concentrate on.

**BOROUGH CLERK:**

**Engineering Update:** Borough Engineer Martin Spence gave the engineering report as follows:

- **Saddle River Grand:** The 68 town home development is nearing completion and close out documents will be addressed with the Borough Attorney.
- **Ackerman Road Paving:** The roadway has been resurfaced and the project is complete.
- **Rindlaub Pavilion Project:** The bid has been awarded for this project and work should commence shortly and be completed within six weeks.
- **Streetscape Project:** This project was re-bid, with five bids received on May 14, 2014. The project will include updated curbing, lighting, landscaping and the expansion of sidewalks in the downtown area. An additional grant was procured making this project completely funded by grant monies.
- **Annual Road Re-surfacing Project:** This project will take place in June and July and road lists are currently being compiled.

- **River Farms Lane Sub-Division:** The Planning Board is considering a road extension plan in conjunction with this sub-division, giving access, via a private road to the three adjacent properties.

**Resolution to hire Part Time Borough Administrator and engage the services of JPM to assist in recruiting a replacement Administrator:** Council President Toomey stated that JPM (Jersey Professional Managers) provide municipalities with recruitment services both on a full time and part time basis. He further stated that Saddle River is currently seeking to hire a part time Administrator while the search for a full time candidate progresses. He outlined the fees and the process associated with this endeavor and stated that he feels this is the most viable approach. This resolution is part of the Consent Agenda.

**Designation of an Assistant Administrator for Processing of Claims:** Borough Clerk Macari stated that a resolution must be adopted in order to permit her to act as the Assistant Administrator for the purpose of processing claims. This resolution is part of the Consent Agenda.

**Ordinance Update for Saddle River Police Department:** Chief Tim McWilliams stated that the department received a matching grant in the amount of \$25,000; the \$50,000 was utilized for State accreditation. He further stated that the rules and regulations have been updated and should not be included in the updated ordinance. Additionally, he requested that the selection process section be removed from the ordinance as well. The Mayor and Council were in receipt of the proposed changes for review.

**Council Emails:** Borough Clerk Macari stated that the Mayor and Council are in receipt of the instructions to set up their Borough emails.

**Financial Disclosure Statements:** Borough Clerk Macari stated that the Mayor and Council are in receipt of the necessary information in order to file online. Forms are due on June 13, 2014.

**Primary Elections:** Borough Clerk Macari stated that the Primary Election will be held on June 3, 2014 and polls will be open from 6am to 8pm.

**Sound System Upgrade:** Borough Clerk Macari stated that the recording/sound system being utilized by the Borough needs to be upgraded and she is currently in the process of getting information on this.

### **COUNCIL REPORTS:**

Council Member Kurpis stated that Fire Chief Brad Stio has resigned. An emergency meeting was held on May 18, 2014 in order to address this; Council Members Walenczyk and Kerner were in attendance as well as several members of the Fire Department. The group concluded that there was no imminent danger to the residents and neighboring municipalities have been made aware of the situation and will come to the aid of Saddle River if necessary. Additional EMS coverage is also being evaluated by Council Member Kerner. The Committee also addressed raising the stipend for overnight fire fighters, accelerating the water line/hydrant project, obtaining liability coverage for existing fire fighters and adding Council Member Gray to the Safety Committee.

Council Member Kerner stated that she has been working to set up a new process in order to monitor EMS services that are not the first responder services. She is working with both the Valley Hospital and the dispatcher and will get weekly feeds on calls and response times and will report to the Mayor and Council monthly in the Committee Report section of the meeting.

Council Member Gray followed up on the issue of dogs in Rindlaub Park. The Parks and Recreation Committee will hold a special meeting in order to address this issue as well as determining if the Concert Series will continue moving forward.

Council President Toomey stated that the Personnel Committee met and have promoted Maria Reda to CFO. The Borough is currently looking for an assistant to the CFO as well as an interim Administrator. He further stated that this is a timely situation and must be acted upon expediently. He addressed the need for a part time employee in the Building Department as well, enabling the Department to remain open until 4:00pm. (It currently closes at 2:00pm)

### **RESOLUTION FOR CLOSED SESSION**

At this time, a resolution was read to go into Closed Session.

**Resolution # 72-14** Offered by Council President Toomey  
Second by Council Member Kurpis  
Roll Call Vote: AYES: Unanimous

A motion to return to the Regular Meeting of the Mayor and Council was offered by Council Member Kurpis. Seconded by Council Member Walenczyk  
Voice Vote: AYES, Unanimous

**INTRODUCTION OF ORDINANCE(S)** Clerk to read title(s) of:

### **ORDINANCE NO. 14-896-M**

**AN ORDINANCE FOR A SPECIAL EMERGENCY APPROPRIATION FOR THE BOROUGH OF SADDLE RIVER; COUNTY OF BERGEN, STATE OF NEW JERSEY, IN ACCORANCE WITH N.J.S.A.40A:4-53 ENTITLED 'PREPARATION OF AN APPROVED TAX MAP**

**Resolution #73-14** Offered by Council Member Walenczyk  
Seconded by Council Member Kurpis  
Roll Call Vote: AYES, Unanimous

### **ADOPTION OF ORDINANCE(S)**

### **ORDINANCE NO. 14-892-M**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$600,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

**Resolution #74-14** Offered by Council Member Walenczyk  
Seconded by Council President Toomey

Motion to Open to the Public Offered by Council Member Walenczyk  
Seconded by Council Member Kurpis  
Voice Vote: All AYES

**OPEN TO THE PUBLIC:** No one wished to be heard.

Motion to Close to the Public Offered by Council Member Walenczyk  
Seconded by Council Member Kurpis  
Voice Vote: All AYES

**Roll Call Vote:** AYES, Unanimous

**ORDINANCE NO. 14-893-M**

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE 2014 WATER LINE INSTALLATION PROGRAM IN, BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$500,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

**Resolution #75-14** Offered by Council Member DeCrosta  
Seconded by Council Member Gray

Motion to Open to the Public Offered by Council Member Kerner  
Seconded by Council Member Kurpis  
Voice Vote: All AYES

**OPEN TO THE PUBLIC:** No one wished to be heard.

Motion to Close to the Public Offered by Council Member Kerner  
Seconded by Council Member Kurpis  
Voice Vote: All AYES

**Roll Call Vote:** AYES, Unanimous

**ORDINANCE NO. 14-894-M**

**BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$550,000 FOR THE ACQUISITION OF REAL PROPERTY IN, BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

**Resolution #76-14** Offered by Council President Toomey  
Seconded by Council Member Kurpis

Motion to Open to the Public Offered by Council President Toomey  
Seconded by Council Member Walenczyk  
Voice Vote: All AYES

**OPEN TO THE PUBLIC:** Edward Holiat, 85 East Saddle River Road asked what property this ordinance was referencing and Attorney Huntington stated that it is additional monies needed for 66 East Allendale Road. He further stated that the property is currently in litigation and additional funding was needed to proceed.

Motion to Close to the Public Offered by Council Member Walenczyk  
Seconded by Council Member Kurpis  
Voice Vote: All AYES

**Roll Call Vote:** AYES: DeCrosta, Gray, Kurpis, Toomey, Walenczyk  
ABSTAIN: Kerner

### **ORDINANCE NO. 14-895-C**

#### **AN ORDINANCE FOR THE VACATION OF LANDS**

Resolution Offered by Council President Toomey  
Seconded by Council Member Walenczyk

Motion to Open to the Public Offered by Walenczyk  
Seconded by Council Member Council President Toomey  
Voice Vote: All AYES

**OPEN TO THE PUBLIC:** No one wished to be heard.

Motion to Close to the Public Offered by Council Member Walenczyk  
Seconded by Council Member Kurpis  
Voice Vote: All AYES

Council Member Kerner stated that she was not comfortable with this ordinance and asked Attorney Huntington for feedback. She further stated that this property is currently on the market and the owner is requesting 3000 square feet of land valued at approximately \$64,000. She is not comfortable with this process and would like to understand why this did not go through an auction process. Attorney Huntington explained this in detail at this time. He further stated that, if the Council was so inclined, this could be carried and a title search conducted. If it was determined that if this property is fee simple, the Borough could approach the property owner and attempt to sell them this piece of land.

Ed Holiat, 85 East Saddle River Road stated that this property should be sold to the home owner. Mayor Raia stated that this has not been the protocol in the past with the vacation of land but if this is how the Council wishes to proceed, he will be in agreement.

Motion to continue the hearing at the June 16, 2014 meeting of the Mayor and Council was offered by Council Member Kerner. Seconded by Member Kurpis  
Roll Call Vote: AYES, Unanimous

#### **APPROVAL OF BILLS**

**Resolution # 77-14** Offered by Council Member Walenczyk  
Seconded by Council Member Gray  
Roll Call Vote: AYES: Unanimous

## **RESOLUTIONS**

All matters listed hereunder are considered routine in nature and will be enacted in one motion. Any Council Member may request that an item be removed for separate consideration. Considering approval of minutes, a yes vote will indicate a vote in favor of approval of the minutes of each meeting at which the Council Member was present and abstention with respect to the minutes of meetings at which such Council Member was not present.

Resolution Offered by Council President Toomey  
Seconded by Council Member Walenczyk

### **Explanation of Consent Agenda Items**

At this time, Borough Clerk Macari briefly explained the resolutions on the Consent Agenda.

### **OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:**

Eric Jensen, 131 Mill Road asked about reviewing the Streetscape Plan; Borough Engineer Spence explained the plan in detail at this time, stressing that the right-of-way is not being widened. The plan is available for review in Mr. Spence's office.

Council Member Kerner asked if the Compensation Resolution could be removed from the Consent Agenda for separate consideration; all were in agreement.

**Roll Call Vote:** AYES, Unanimous

#### **A. Approval of Minutes: Regular Meeting, 3/17/14 & 4/21/14**

##### **B. Resolutions:**

**R# 78-14 Appointment of Seasonal DPW Worker Ryan Holdsworth**

**R# 79-14 Affirming the Borough's Civil Rights Policy**

**R# 80-14 Authorization to Engage Jersey Professional Management to provide a temporary Borough Administrator etc.**

**R# 81-14 Designating an Assistant Administrator for processing claims**

**R# 82-14 Award of Bid for Streetscape Phase 1**

**R# 83-14 Boroline Road Rehabilitation**

### **Compensation Resolution**

Council Member Kerner asked if this resolution could be addressed at the June 16, 2014 meeting so she could evaluate calculations and be able to compare 2013 with 2014.

Mayor Raia stated that both the Personnel Committee and the Finance Committee should be involved in this process and the resolution was tabled by consensus.

## **COMMITTEE REPORTS**

**Board of Health:** Council Member Kurpis gave the report for May 2014

**Const. & Zoning Enforcemt.** Council President Toomey gave the report for March & April 2014.

**Environmental Committee:** Council Member DeCrosta gave the report for April 2014.

**Fire Report:** Council Member Kurpis gave the report for April 2014.

**Police Report:** Council Member Walencyk gave the report for April 2014.

**Finance Report:** Council Member Walencyk gave the report for April 2014.

**Landmarks Committee:** Council Member Kurpis gave the report for April 2014.

**Public Works:** Council Member DeCrosta gave the report for April 2014.

**Parks and Recreation:** Council Member Gray gave the report for April 2014.

**Planning Board:** Council Member Kerner gave the report for May 2014.

**Zoning Board:** There was no report at this time.

## **OPEN TO THE PUBLIC:**

Patty Nazzaro, 3 Westwind Court stated that both the Saddle River Day School and the Wandell School are going to be holding their Saddle River Youth Leadership graduations on Thursday, May 22, 2014 and June 9, 2014 respectively. She encouraged all to attend.

Edward Holiat, 85 East Saddle River Road asked about the street sweeper and further stated that he did not feel the work was done sufficiently. Additionally, he inquired about the fire fighter stipend and property taxes, stating that the municipal taxes have increased by 10% over the last 10 years. Mr. Holiat addressed recent OPRA requests in Saddle River as well as mandatory connection to existing water lines and this was discussed.

Marilyn Goldfisher, 124 West Saddle River Road asked who follows up on the status of the street sweeper. She also stated that there is debris stuck in the boom and the general appearance of Saddle River is in need of a town wide clean-up.

Fred Moss, 37 Chestnut Ridge Road thanked Council Member Gray for following up on the dog issue in Rindlaub Park and asked to attend the Special Meeting of the Parks and Recreation Commission to further address this issue. Mr. Moss also asked if there is a job description for the Administrator position currently vacant in Saddle River.

At this time, Borough Engineer Spence addressed the issue of the boom in the Saddle River, reiterating that the property owner is not willing to replace the boom at this time.

Mayor Raia asked Council Member DeCrosta to look into the street sweeping issue. Additionally, he addressed Saddle River's financial information, stating that independent auditors are retained and continually find Saddle River's finances sound. He further stated that the town continues to be improved, the debt is being appropriately managed while also managing the tax rate, which is the third lowest in the County.

**UNFINISHED AND NEW BUSINESS:**

Council Member DeCrosta stating that Orange and Rockland Utility is currently doing a town wide tree trimming project.

Council President Toomey stated that the first interviews for interim Administrator will be conducted on Thursday, the times to be determined. He further stated that, if any Council Members would care to attend he will provide the times when they are available.

Council Member Walencyk stated that the Memorial Day Celebration will be held on May 26, 2014 at 11:00am at the Municipal Building.

**ADJOURNMENT:** A motion to adjourn was made and seconded.

Respectfully submitted,

Marie Elena Macari  
Borough Clerk