

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD MARCH 17, 2014**

PRESENT: Mayor Raia, Council President Toomey, Council Members: DeCrosta, Gray, Kerner, Kurpis, Walencyk, Borough Clerk Macari, Administrator Cuccia, Attorney Russell Huntington

ABSENT:

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:

Bergen County Municipal Joint Insurance Fund – 2013 Safety Incentive Fund Award:

Municipal Clerk Macari stated that the Borough of Saddle River was presented this award by the Bergen County Municipal Joint Insurance Fund for reduced loss time accident frequency by 20% versus the three year average of the Borough. The Borough also received a monetary award of \$1500 for safety education.

WORK SESSION:

MAYOR RAI: At this time, Mayor Raia stated that the Mayor and Council would be going into Closed Session. Prior to doing so, he asked Council President Toomey to address the ordinances currently on the agenda for introduction.

Council President Toomey stated that Ordinance 14-885-C (Permitted Uses), Ordinance 14-886-C (Signs) and Ordinance 14-887-C (Trees) will now be introduced at the April 21, 2014 meeting of the Mayor and Council.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 43-14 Offered by Council President Toomey
Second by Council Member Kurpis
Roll Call Vote: AYES: Unanimous

The regular meeting reconvened at 9:30pm.

MAYOR RAIA:

Mayor Raia stated that he attended Legislative Day in Trenton with mayors from throughout the State and they addressed the 2% cap and how the STEPS impact that issue. They also addressed reinstating COAH and RCA's. The current water charge was discussed and the DEP has gotten involved to address the situation with United Water and usage discrepancies. Shared services were also discussed as this is, and will continue to be the trend moving forward.

ADMINISTRATOR CUCCIA

Building Department Hours: Administrator Cuccia stated that the Building Department's current hours are 8:30pm to 12:00pm and 12:30pm to 2:00pm for the public; staff works until 4:00pm. He further stated that there is a need for a part time employee in the Building Department and this was discussed; no decision was reached.

2013 West Bergen Mental Health Report: Administrator Cuccia stated that the Mayor and Council were in receipt of this report, for informational purposes only.

Resignation of Kenneth Warr: Administrator Cuccia stated that Kenneth Warr, DPW worker has resigned and the Operations Department is in need of replacing him. It is a critical time of year, as the grounds are all in need of preparation for the spring sports season. He further stated that the individual hired for this position must have successfully completed both EMT and Fire I training. A motion was made and seconded authorizing the hiring of a DPW worker to replace Kenneth Warr.

Police Chief McWilliams Report: Chief Tim McWilliams stated that Municipal Judge Darren DiBiasi is doing an excellent job. He further stated that the computer network at the Police Department may be vulnerable and a technical evaluation will be conducted to determine if the system is at risk. Chief McWilliams gave a brief update on the accreditation process currently underway.

Rindlaub Park Pavilion Bid Award: Borough Engineer Spence reported on the Rindlaub Park Pavilion bid award, referencing a report he prepared on March 10, 2014 regarding same. He stated that eight bids were received on February 6, 2014 and the apparent low bidder submittal was non-compliant and had to be disallowed. The bid was awarded to DiCarolis Associates in the amount of \$141,165.00. Council Member Gray stated the Parks and Recreation Commission as well as many residents are in favor of replacing the existing restrooms. Mr. Spence explained that the restrooms would not be part of the pavilion project and a fully funded ordinance would have to be drafted and adopted prior to the project going to bid.

Arbitration Award 2% Cap: Administrator Cuccia stated that this resolution is part of the Consent Agenda.

Transfer Resolution: Administrator Cuccia stated that this resolution is part of the Consent Agenda.

Claims Ordinance: Administrator Cuccia stated that this ordinance will be introduced and provides for the viewing of all bills one week prior to Mayor and Council meetings by Council Members.

Cell Tower Bid Specs: The Mayor and Council are in receipt of the Cell Tower Bid Specifications which were addressed at the Cell Tower Committee meeting. Council Member Kurpis asked about adding branches to the existing tower as well as the addition of landscaping to the new construction. Final drawings will have to be submitted for review prior to proceeding with this project.

The Streetscape Project: This DOT funded project was discussed and will include replacement of lighting, curbing and sidewalks. The project will go out to bid and must be completed while Wandell School is on summer recess.

Budget 2014: Administrator Cuccia stated that the 2014 Budget will be introduced and he asked the Mayor and Council to address any issues concerning that budget at this time. Council Member Kerner stated that she continues to believe that only a zero ~~based budget increases~~ should be supported and spending should be cut. She further stated that public safety would be the only area where she would support spending.

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This was addressed by the Council and all were in agreement that pensions, medical expenses, contract employees' salary increases, etc. all have been increased significantly and the budget was able to still remain under the 2% cap. The water line/hydrant project was also addressed and Council Member Kurpis stated that he felt it was a valuable asset in order to protect residents in case of fire. Council Member Gray stated that he would like to see a zero based budget but recognizes that programs within the Borough must be funded, particularly public safety, and costs increase each year to fund these programs effectively. Council President Toomey and Council Member Walenczyk stated that they are in favor of this budget and praised Administrator Cuccia and the Finance Committee for their diligent work. Mayor Raia stated that he did not feel that the budget increase of \$128,000 is significant, given cost increases and the need to continue to provide the residents of Saddle River the services they expect should be a priority. He further stated that he wants the Finance Committee to continue to meet each month to review expenditures and to insure that spending stays on track. He further stated that the Borough saves a significant amount of money with shared services and wants to continue to work to this end. Council Member DeCrosta reiterated that the majority of residents appreciate the services provided as well as the tax rate, which has not increased in three years.

Council Member Kerner addressed the water lines and asked for clarification on both the costs as well as the location details of lines to be installed. Mr. Spence outlined specific streets where water lines are planning to be installed in phases. He further stated that he would have a more concise plan for the April 21, 2014 meeting. Council Member Kurpis reiterated the importance of having funds budgeted appropriately and striving to continue to recognize the budgetary process.

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

ORDINANCE 14-891-C

AN ORDINANCE TO AMEND CERTAIN PORTIONS OF CHAPTER 9 ENTITLED CLAIMS OF THE CODE OF THE BOROUGH OF SADDLE RIVER

Resolution #44-14 Offered by Council Member Walenczyk
Seconded by Council President Toomey
Roll Call Vote: AYES, Unanimous

INTRODUCTION OF 2014 MUNICIPAL BUDGET

Resolution # 45-14 Offered by Council Member Walenczyk
Seconded by Council Kurpis
Roll Call Vote: AYES: DeCrosta, Gray, Kurpis, Walenczyk, Toomey
NAYES: Kerner

ADOPTION OF ORDINANCES: There were none.

APPROVAL OF BILLS

Resolution # 46-14 Offered by Council Member Walencyk
Seconded by Council President Toomey
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 Kurpis

Explanation of Consent Agenda Items

At this time, Administrator Cuccia briefly explained the resolutions on the Consent Agenda.

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:

Paul Schulstad, 20 Eckert Farm Road inquired about the authorization of counsel for labor negotiations and Attorney Huntington stated that it was regarding Police negotiations.

- A. Approval of Minutes: Regular Meeting, 2/10/14**
- B. Resolutions:**

Roll Call Vote: AYES, Unanimous

- R# 47-14 Soil Movement Blk 2003 Lot 18, 47 Chestnut Ridge Road**
- R# 48-14 Award of bid for Rindlaub Park Field House Pavilion**
- R# 49-14 Refund for Overpayment of taxes to Blk 1606 Lot 25**
- R# 50-14 Refund to adjust the tax records due to reduced assessment Blk 1301 Lot 25**
- R# 51-14 Refund to adjust the tax records due to reduced assessment Blk 1901 Lot 4**
- R# 52-14 Refund to adjust the tax records due to reduced assessments Blk. 1807 Lot 4**
- R# 53-14 2% CAP on Interest Arbitration Awards Permanent**
- R# 54-14 Budget Transfer**
- R# 55-14 Acceptance of resignation from Ken Warr, Property Maintenance Worker**
- R# 56-14 Authorization to advertise for bids for collection of solid waste and recycling**
- R# 57-14 Authorization of counsel for labor negotiations**

Resolution Authorizing Retaining the law firm of Lowenstein & Sandler, LLP

Resolution # 58-14 Offered by Council Member Kurpis
Seconded by Council President Toomey
Roll Call Vote: AYES: DeCrosta, Gray, Kurpis, Walencyk, Toomey
ABSTAIN: Kerner

COMMITTEE REPORTS

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

Const. & Zoning Enforcemt. Council President Toomey gave the report for February 2014.

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

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

Police Report: Council Member Walencyk gave the reports for January & February 2014.

Finance Report: There was no report at this time.

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

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

Parks and Recreation: Council Member Gray gave the reports for February & March 2014.

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

Zoning Board: Council President Toomey gave the report for February 2014.

OPEN TO THE PUBLIC:

Eric Jensen, 131 Mill Road asked about the resolution pertaining to litigation and Mayor Raia stated that this is regarding 66 East Allendale Road, LLC (former Exxon property). Additionally he asked for clarification regarding a budget transfer resolution that was part of the Consent Agenda; Administrator Cuccia explained this. Mr. Jensen asked who currently owns the Bishop House property and he was advised that the Borough owns it.

Marilyn Goldfisher, 124 West Saddle River Road stated that a significant amount of salt and sand from the roadways is ending up in the rivers and she suggested that the roads be swept immediately. Additionally, she commented on dumpsters being left open on properties adjacent to the river and garbage is ending up in the Saddle River; she would like this addressed.

Edward Holiat, 85 East Saddler River Road stated that he was having an issue with getting his garbage and recycling picked up. He further stated that the trucks are over filled and refuse ends up on Borough

roadways.

Irena Holiat, 85 East Saddle River Road stated that the garbage collector is taking both the garbage and recycling on the same day, and she wants this addressed.

She also inquired about the water lines and the procedure to determine connection; Administrator Cuccia stated that the ordinance states that it is not mandatory to be part of this water line project.

She inquired about the insurance discount that residents are entitled to if they are a certain distance from a fire hydrant.

Paul Schulstad, 20 Eckert Farm Road inquired about the statement that his OPRA requests have cost the Borough \$30,000 to date. Mayor Raia stated that this figure was calculated for all OPRA requests received in the prior calendar year.

UNFINISHED BUSINESS:

ADJOURNMENT: A motion to adjourn was made and seconded.

Respectfully submitted,

Marie Elena Macari
Borough Clerk

F/Nwwp/min/M&C03-2014