

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
HELD MARCH 16, 2015**

PRESENT: Mayor Raia, Council President Kurpis, Council Members: Gray, Jensen, Kerner, Schulstad, Walenczyk, Borough Administrator Shenkler, Borough CFO Mariniello, Borough Clerk Macari, Attorney Doyle

ABSENT:

PRESIDING: Mayor Raia called the meeting to order at 7:00 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 Herald News and The Record on December 31, 2014, the Borough website and also via E-Notify.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE:

AWARDS AND CEREMONIES:

WORK SESSION:

MAYOR RAI:

Northwest Bergen Mayor's Meeting: Mayor Raia stated that he attended the Northwest Bergen Mayor's meeting on February 10, 2015. A presentation regarding stigma-free communities was given and Mayor Raia stated that Saddle River should embark on this.

ADMINISTRATOR SHENKLER:

Security Camera Installation Bid: Administrator Shenkler stated that the lowest qualified bidder for this project is USA Security Services, Inc. and the resolution authorizing a contract is part of the Consent Agenda. They can start this project at the end of March and the work should be completed in approximately one month.

PEG Bandwidth: Administrator Shenkler stated that this company, retained by Sprint, is seeking approval to run fiber optic cable from the Garden State Parkway through Saddle River to the southbound side of Route 17. At this time, Mr. Dave Williams and Mr. John Gerondo, representatives from Bandwidth, were present to answer any questions. Council Member Kerner asked who has reviewed the contract and Administrator Shenkler stated that Borough Engineer Spence has reviewed this contract. Mr. Williams stated that his company has reviewed the proposed agreement and they have some concerns at this time. These include the amount of a performance bond, the fact that no new poles would be added, no extensions will be implemented on existing poles and details regarding tree pruning. These items must be included in the agreement and therefore, the Council stated that the resolution should be removed from the Consent Agenda so the necessary amendments can be made.

Police Chief McWilliams asked about the specific locations of this project within the Borough and this was clarified at this time. Mr. Williams also outlined the pole positions in detail at this time. Mayor Raia stated that he wants to insure that there is clarity regarding this installation including how it correlates with existing technology and the benefits that will be realized. He further encouraged Council members to review this issue and communicate any concerns to Administrator Shenkler.

BCUA Shredding Day: Administrator Shenkler stated that there will be a town-wide shredding day for residents on June 13, 2015 from 9:00am to 1:00pm in the parking lot of the Municipal Building. The shredding is done immediately so there is no concern with sensitive documents. The Green Team will receive necessary points for this event.

Legislation for Residential Sprinklers: Administrator Shenkler stated that this legislation has been passed and will be now be presented to the Governor. Additional information will be forthcoming.

COUNCIL REPORTS:

Council Member Gray stated that the Parks and Recreation Commission met on March 11, 2015 and addressed the bathroom renovation at the Rindlaub field house, specifically the use of tile versus epoxy on the floor. It was decided that epoxy would be utilized with the addition of sand in order to minimize slippery surfaces. Borough Engineer Martin Spence addressed the bid for this project, stating that the low bidder is Practical, LLC, submitting a bid in the amount of \$63,500 on October 15, 2014. If epoxy is used, the contractor would have to adjust the amount, as tile was quoted.

Council Member Gray discussed the outdoor fitness equipment and stated that the Parks and Recreation Commission have decided to put this project on hold.

Council Member Jensen gave an update on COAH, stating that he attended a meeting with Borough Planner Richard Preiss and Council Member Kerner for the purposes of gaining insight on new regulations and how this will impact Saddle River. The Supreme Court recently ruled in favor of taking fair housing away from COAH, making it a non-entity temporarily. The obligation remains unclear but it will be contingent on population density. Council Member Jensen stated that Mr. Preiss will determine who the Mt. Laurel judge will be for Bergen County and a legal filing of compliance will be necessary. He further stated that legal representation should be sought by Saddle River and Mayor Raia stated that there are attorneys that specialize in this area and asked Council Member Gray to investigate this. Council Member Jensen stated that there may be some logic in pursuing a small COAH project in order to stay in good faith with the courts, in order to avoid builder remedy lawsuits.

Council Member Kerner stated that the Finance Committee has been meeting in order to fine tune the 2015 Municipal Budget, which will be introduced tonight.

Council Member Kerner stated that Allendale Ambulance sent a thank you note as well as a video of the car donated by Saddle River for emergency use. A newsletter from Allendale Ambulance will also be circulated to Saddle River residents. Work on the medical registry, a prescription medication take back program and Green Team initiatives is also in progress. Mayor Raia stated that he would like to also see a Community Clean Up day organized, as it was very successful in the past.

Council President Kurpis stated that attended the Northwest Bergen Mayor's Meeting and found it to be very informative. He distributed a resolution in support for the goals and purposes of the 2004 Highlands Water Protection and Planning Act. He further stated that the Board of Health did not meet in March, due to a lack of quorum. The Landmarks Commission met, reappointed Jon Kurpis as Chairman and Joy Convertini as Commission Secretary. They addressed the Saddle River Museum as well as the Bishop House. A program is being put together with the Wandell School students to be held

in June, 2015 in order for them to tour the Museum in order to obtain knowledge on Saddle River's rich history. He further stated the Bishop House is seeking direction for potential uses; they also have requested that Borough Engineer Spence evaluate repairs necessary with the building.

Council President Kurpis addressed the Police Department's recent issue with their computer systems and stressed that this must be addressed immediately. Chief McWilliams stated that the Police accreditation will be completed shortly; Council President Kurpis stated that formal recognition is in order.

Council Member Schulstad stated that the new HVAC System for the Wandell School was passed at the Special Election on February 10, 2015 and the Board of Education will be finished drafting bid specifications for this project by the end of March. The Board of Education will be reviewing their budget as well as appointing a new member, as one member has resigned. The Wandell School Foundation Dinner will be held on March 26, 2015 and Council Member Schulstad encouraged all to attend.

Council Member Schulstad reviewed the DPW Monthly report; new specifications for the upcoming snow removal contract will be evaluated. He further stated that he would like to determine if there is a secondary source of salt available for the Borough as well as develop a system in order to track snow plow workers while on the roads. Mayor Raia stated that a co-op should be established with the 13 Northwest Bergen communities in order to purchase salt moving forward in order to prevent running low in snowy seasons. Director of Operations Bruce Mautz explained the salt allocation in detail at this time, stressing that the Borough has consistently not been provided with an adequate amount of salt. A larger salt shed will enable the Borough to stock pile salt more efficiently.

ENGINEERING UPDATE: Borough Engineer Martin Spence addressed the following engineering issues:

- **Rindlaub Park Restrooms:** 12 bids were received on October 15, 2014, with the lowest bidder determined to be Practical, LLC. It was determined that the amount needed to be amended to reflect the use of epoxy rather than tile on the floor, making the bid amount \$63,200.
- **DPW Salt Shed:** Bids were received for this project on March 12, 2015; all bids came in higher than budgeted. A recommendation is pending and it was decided that this resolution be removed from the Consent Agenda.
- **Road Re-Surfacing Project:** This annual project is part of a consortium, with a recommended budget of \$175,000 for 2015. A non-matching grant for Boroline Road has been applied for with the Borough of Allendale.
- **Streetscape Phase II:** Two bids were received and the low bidder appears to be Covino & Sons at \$112,589. The Borough has received a NJDOT non-matching grant and a bond ordinance must be adopted for this project.
- **Water Main Extension Project:** The proposal is currently being worked on and a planning meeting was held on March 16, 2015 with members of the Fire Department and the Water Committee in order to determine locations in need of fire hydrants. Fox Hedge Road and Charlden Drive were designated, which would also provide coverage to the Saddle River Grand town home development, and this recommendation is being made to the Mayor and Council. Council Member Kerner stated that she wanted to insure that every resident would benefit from this project as well as having the financial impact be clearly defined through the completion of this project. How this project effects the Borough's debt was discussed in detail at this time.

- **Generator Project:** Specifications are currently being drafted for this project.

BOROUGH CLERK MACARI Borough Clerk Macari stated that the Ethics Disclosure Form instructions will be distributed shortly and must be completed online. The petitions for the upcoming election are due in the Clerk's office on March 30, 2015 at 4:00pm and the Change of Party must be completed by April 8, 2015 for the Primary Election in June.

AGENDA

Annual Report – Risk Manager, Frank Covelli, PIA Associates

At this time, Frank Covelli presented the Annual Report. Key sections of the report include the following: Recent developments within the JIF and the impact to Saddle River, Fund statistics and membership, synopsis of property and casualty coverages, loss time accident frequency for all funds and JIF, financial information on JIF funds, dividend history and historical and background information on the JIF movement.

INTRODUCTION OF 2015 MUNICIPAL BUDGET

Resolution # 47-15 was offered by Council Member Kerner
Seconded by Council President Kurpis
Roll Call Vote: AYES, Unanimous

At this time, CFO Mike Mariniello gave an overview of the 2015 Municipal Budget, addressing the Borough's surplus, the capital budget, debt, the tax rate, which will not increase, and salaries and wages. Mr. Mariniello thanked the Finance Committee for their diligent work on this budget, being recommended to the Mayor and Council for their introduction. Mayor Raia asked about the surplus, which is approximately \$5,200,000 and addressed utilizing part of these funds to complete the water line project throughout the Borough. Council Member Gray stated that the water line project started in 1997, with only 75% of the residents able to hook up to hydrants. Council President Kurpis stated that he deems this lack of hydrants in certain areas of the Borough a public safety issue and must be rectified. Council Member Schulstad stated that he feels that the water line project is very important and should be discussed in the context of overall budgets. He further stated that the Council are all in agreement that this project is an important one and now the funding of the completion of this project must be a priority. Mayor Raia stated that he would like to develop a long range plan to complete the project, while continuing to work on water line installation on those areas deemed a current priority. Council Member Kerner stated that there are funds to be utilized from the 2014 budget but a plan must be in place outlining the street by street water line installation in coordination with the paving project. This must then be run through financial models to determine the impact it has on surplus, debt and the budget. She further stated that it is critical to make these projections in order to insure that surplus does not run out, resulting in increased tax rates. Council Member Gray reiterated that he feels it is important to coordinate the paving project and the water line installation in order to prevent the altering of newly paved roadways. Borough Engineer Spence stated that there is a long term paving plan in place that can be coordinated with the water line installation to try to prevent this. Mayor Raia stated that the objective of his administration was to continue working toward the completion of the water line project in Saddle River as well as keep the tax rate constant. He further stated that, while he is encouraged there is a surplus is approximately \$5,200,000, it was not part of the objective and the residents deserve those services that are reflected in their taxes.

Council Member Jensen stated that he objects to this process and was not aware that a Water Committee existed. He further stated that there are funds to continue to work on the water lines and there is a fire truck budgeted in the amount of \$800,000, both which represent approximately \$2,000,000 in funds allocated to fire prevention, which is a priority. Council Member Gray stated that, although the fire truck has been budgeted, the process of actually ordering a truck will not take place in 2015, however certification that the funds are available must be in place. Council Member Jensen further stated that he believes that the purchase of an \$800,000 fire truck is a more cost effective expenditure than the water line installation. Mayor Raia stated that a grant had been applied for a bond ordinance adopted for the purchase of a fire truck in the amount of \$800,000 but the funds were not received. Council Member Kerner stated that the fire department has prioritized their needs and the Council must now determine the optimal use of funds for fire prevention. She further stated that the capital budget can be amended and this issue should not hold up the introduction of the budget.

Mayor Raia stated he would like the Water Committee to meet again in order to develop a plan of progression for the water lines and additionally work with CFO Mariniello in order to develop a financial model that will not increase taxes.

Council Member Schulstad stated that he is in favor of the water line project however, he feels that this committee was formed without public knowledge.

INTRODUCTION OF ORDINANCE(S): There were none.

ADOPTION OF ORDINANCE(S): There were none

APPROVAL OF BILLS

Resolution # 48-15 Offered by Council Member Kerner
Seconded by Council Member Jensen

Council Member Kerner stated that she would like to remove three bills from Lynco Alarm Company from the bill list at this time. Mr. Mariniello stated that he thinks there may be a contract with the Lynco Alarm Co. and would have to look into this.

Council Schulstad stated that he signed a bill for US Overall for uniforms but alternative options are being evaluated.

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 Kurpis
Seconded by Council Member Gray

Council President Kurpis stated that the award of bid for the salt shed as well as the authorization for the Right of Way agreement with Peg Bandwidth is being removed from the Consent Agenda. Additionally, a resolution authorizing a wire instruction change for the NJ cash management fund was added to the Consent Agenda.

Explanation of Consent Agenda Items

Administrator Shenkler explained the Consent Agenda items at this time and CFO Mariniello addressed those resolutions dealing with financial matters.

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY: No one wished to be heard

Roll Call Vote: AYES, Unanimous

A. Approval of Minutes: Regular Meeting: 2/9/15

B. Resolutions:

- R# 49-15** Three Raffle Apps.- Saddle River Day School ,4/25/15
- R# 50-15** Tax Identification Statement
- R# 51-15** Tonnage Grant Application
- R# 52-15** Award bid to USA Security Services, Inc. - Closed circuit IP video surveillance system for Mun. Bldg., Wandell School, Police Dept., Fire Dept., Various Streets & Rindlaub Park (\$29,750.00)
- R# 53-15** Refund due to Tax Court Judgement to Blk. 1202 Lot 32
- R# 54-15** Refund due to Tax court Judgement to Blk. 1801 Lot 35
- R# 55-15** Transfers
- R# 56-15** Subdivision cancelling taxes
- R# 57-15** Award of Bid to Practical, LLC, - Rindlaub Park bathroom renovations (\$63,200)
- R# 58-15** Authorization for sale of Municipal Property though On Line Auction
- R# 59-15** Wire Instruction Change – NJ Cash Mgmt. Fund

COMMITTEE REPORTS

Board of Health: There was no report at this time.

Const. & Zoning Enforcemt.: Council Member Jensen gave the report for February 2015.

COAH: Report given earlier.

Environmental Committee/Wildlife Mgmt.: Council Member Schulstad gave the report for February 2015. He stated that the Wildlife Mgmt. Committee has not met since its inception and Mayor Raia suggested that a Co-Chairman be appointed.

Fire Report: Council Member Gray gave the report for February 2015.

Police Report: Council Member Kurpis gave the report for February 2015.

EMS Report: Council Member Kerner gave the report for February 2015.

Finance Report: Council Member Kerner gave the report for February 2015.

Landmarks Committee: Report given earlier.

Public Works: Report given earlier.

Parks and Recreation: Report given earlier.

Planning Board: Council Member Jensen gave the report for February 2015.

Zoning Board: There was no report at this time.

OPEN TO THE PUBLIC:

Marilyn Goldfisher, 124 West Saddle River Road stated that the Streetscape Project in the downtown area is providing an excessive amount of light. She further stated that she would like the boom in the Saddle River reevaluated. She stated that perhaps tax revenue generated from the Saddle River Grand town home project could be utilized to fund the water main project.

Patty Nazzaro, 3 Westwind Court commended both the Police and Fire Department for their continued stellar service in Saddle River. She addressed the Stigma Free campaign and is hopeful that a resolution can be passed at the May 18, 2015 meeting of the Mayor and Council.

Ed Holiat, 85 East Saddle River Road stated that he is in favor of a non-lethal method of deer management in Saddle River.

Mayor Raia asked Borough Engineer Spence to review the lighting downtown to insure that are properly shielded. He suggested that Ms. Goldfisher attend a Finance Committee meeting to obtain knowledge on how the budget process works, as it pertains to funding the water main project.

Council Member Kurpis asked about the boom issue; Borough Engineer Spence addressed the issue at this time, reiterating that this boom is on private property and there is no interest in replacing the boom. Council Member Schulstad asked if some action can be taken and Borough Engineer Spence stated that the town can go back to the owner and see if they now wish to address this issue. It was decided that the Borough Attorney would evaluate this issue and determine if the Borough had any legal outlet.

UNFINISHED BUSINESS:

NEW BUSINESS:

Council Member Kerner stated that she would like to propose that the roadways within the Borough are adopted as scenic roadways in the Master Plan. This will be done by the adoption of an ordinance.

Council Member Schulstad stated that he is concerned about the Borough's litigation exposure, and the costs associated with this issue. He further stated that he would like a committee of Council Members to be formed that would monitor and develop recommendations to the administration about legal proceedings. He further stated that the Borough has spent over \$1,000,000 on the 66 East Allendale Road litigation. Mayor Raia stated that, as this is ongoing litigation, it should not be discussed in a public forum; Attorney Doyle was in agreement.

Council Member Schulstad further stated that he would like to see Council Members involved in the process. Mayor Raia encouraged all Council Members to attend the litigation when it resumes. Council Member Kerner stated that she supports the idea of a litigation committee and does not feel that all council members should attend proceedings. Council Member Jensen was in agreement with this.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 60-15 Offered by Council Member Kerner
Second by Council Member Jensen
Roll Call Vote: AYES: Unanimous

A motion to close the Closed Session and return to Open Session was made and seconded.

NEW BUSINESS:

ADJOURNMENT: A motion to adjourn was made and seconded.

Respectfully submitted,

Marie Elena Macari
Borough Clerk

F/Nwwp/min/M&C03-2015