

**MINUTES OF THE SPECIAL MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
JULY 27, 2015**

PRESENT: Mayor Raia, Council President Kurpis, Council Members, Jensen & Schulstad, Deputy Municipal Clerk Convertini, Administrator Shenkler, Borough Attorney Huntington

ABSENT: Council Members Gray, Kerner & Walenczyk

PRESIDING: Mayor Raia called the meeting to order at 6:00pm and Deputy Municipal Clerk Convertini 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 Special Meeting of the Mayor and Council of the Borough of Saddle River, on the bulletin board in the Municipal Building, Borough website and faxing notice thereof to the Record and Herald News on July 23, 2015.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE

Review of United Water Contract

Resolution # 124-15 Offered by Council Member Jensen
Seconded by Council President Kurpis
Roll Call Vote: AYES, Unanimous

Council Member Schulstad asked for clarification regarding the specific version being voted on and this was addressed at this time. He further stated he is in receipt of information from Borough Engineer Martin Spence which highlights the impact of this contract which will increase the amount of money that the Borough will be paying for water by approximately \$57,000; he will be supporting this contract.

Council Member Schulstad stated that he is uncomfortable about the 2010 contract and he has an outstanding OPRA request (which has not yet expired) requesting records indicating that the 2010 contract was approved by the Council. The 2010 contract increased the Borough's water cost significantly. He further stated that he put in an OPRA request two years ago about this issue so he knows a little more than the average Council Member on this topic. A lot of work was done in 2012 and 2013 by Borough Engineer Martin Spence to attempt to rectify the issues created by the 2010 contract.

Mayor Raia asked Borough Engineer Spence to provide a summary of the Fourth Rider to the Wholesale Water Purchase Agreement with United Water; he prepared a report dated July 27, 2015 and outlined his report at this time. Previously, the Borough had been paying for 0.40 MGD (Million Gallons per Day) in 2010 under the Second Rider to the United Water Contract. This was reduced to 0.18 MGD in 2014 under the Third Rider and the proposed Fourth Rider calls for an increase to 0.26 MGD. The 2014 Third Rider was contingent upon the Saddle River Water Utility and United Water revising the contracts and arriving at usage numbers in conjunction with what the DEP requires.

He explained the usage calculations in detail at this time. This contract meets the minimum requirements and United Water was in agreement with providing the monthly breakdown in the contract, taking into consideration the summer spike in usage.

Mayor Raia asked Borough Engineer Spence if he recalled conversations with the Council regarding the 2010 contract; he stated that he recall that it was approved but does not recall the specifics. Mayor Raia stated that it was approved and he recalls that United Water and DEP took a firm stance and would not provide any variation from the maximum usage during the highest usage months.

Mayor Raia asked about the possibility of paying monthly for exact usage and Attorney Huntington explained that the DEP wants all citizens to have access to potable water which requires keeping water in reserve for peak usage.

Council Member Jensen stated that in the months that the Borough uses less than 0.26 MGD, we will still be paying for that amount but in the months that the Borough exceeds this number, the higher amount will be paid. He further stated that when the Borough was paying for 0.40 MGD, it was well in excess of the actual need and cost the Borough a significant amount of money. The reduction of this number is far more realistic and will be cost effective. Mr. Spence stated that we now have a take or pay arrangement with United Water as opposed to what had been allocated for the Borough, per the DEP. He further stated that he did not negotiate the contract in 2010.

Mayor Raia asked Borough Engineer Spence why the contract in 2010 could not be better negotiated to reduce the number and he stated that he was not part of the negotiation. Mayor Raia stated that he recalls that the Borough was stonewalled by both United Water and DEP to accept this higher usage number as water was put into reserve for the Borough.

Mayor Raia stated that there are not many options for water, however Saddle River has a production well, which could be utilized.

Mr. Spence recommended reviewing the current "Wheeling Charge" that United Water pays to the Saddle River Water Utility to convey water through current infrastructure as our infrastructure has greatly increased from the original system. Additionally, the recommendation was made to review use of the existing well in Rindlaub Park to supplement water supply volume. Water testing may have to be done in order to determine if the system has to be treated.

A motion was offered by Council Member Schulstad to authorize Borough Engineer Spence to review the current wheeling charge with United Water, examine the existing contract and make a recommendation to the Mayor and Council, and review the existing well at Rindlaub Park for either the Borough's use or to be leased to a third party as a potential mechanism to defray water costs.

Seconded by Council President Kurpis
Roll Call Vote: AYES, Unanimous

OPEN TO THE PUBLIC:

Patty Nazzaro, 3 Westwind Court asked the Mayor and Council to consider utilizing the property between the Police and Fire Departments for the construction of a 911 Memorial with a piece of steel procured by the Borough from the World Trade Center. Mayor Raia asked Council President Kurpis to make this recommendation to the Council at the August 17, 2015 meeting.

Marilyn Goldfisher, 124 West Saddle River Road stated that she is concerned about an extensive construction plan for new homes in Upper Saddle River and how this will impact the flow of the Saddle River in a southerly direction.

She further stated she is concerned that the water rates will be increased.

ADJOURNMENT: A motion for adjournment was made and seconded.

Respectfully submitted,

Joy C. Convertini
Deputy Municipal Clerk