

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND COUNCIL OF THE  
HELD FEBRUARY 22, 2016**

**PRESENT:** Mayor Kurpis, Council Members: Acaster, Jensen, Kerner, Salazer, Schulstad, Borough Administrator Shenkler, Borough CFO Mariniello, Borough Clerk Macari, Borough Attorney Huntington

**ABSENT:** Council Member Gray

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**PRESIDING:** Mayor Kurpis 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 notice thereof to the Herald News and The Record on December 16, 2015." Also on the official Borough website and E-notify.

**NOTIFICATION OF FIRE EXITS**

**PLEDGE OF ALLEGIANCE:**

**AWARDS AND CEREMONIES:**

**OPEN TO THE PUBLIC:**

Debbie Hardesty, 15 East Saddle River Road, Saddle River, NJ deferred to Angie Mettler, League of Humane Voters of New Jersey to address the deer management issue in Saddle River. She inquired if a site visit had been completed, if an aerial survey had yet been planned and asked to introduce Mark Nagelhout, Park Ridge, NJ. Mr. Nagelhout addressed a traffic study he prepared as it pertains to the deer population in the area; this report was distributed addressed in detail at this time.

Council Member Schulstad stated that the Borough has received one quote for an aerial survey and this issue is still an open item. He further stated that the site visit has been scheduled for March 8, 2016 and will address this matter in further detail in the work session portion of the meeting.

Ms. Hardesty asked when the Wildlife Committee will meet next and Mayor Kurpis explained that the Wildlife Committee will make recommendations to the Mayor and Council, where the final decision on the course of action will be made. Council Member Schulstad stated that the Wildlife Committee met on February 19, 2016 to conduct a Work Session and Ms. Hardesty stated she was unaware of this meeting. Two illegal incidents of deer hunting were also addressed.

Council Member Kerner addressed the traffic study that was distributed by Mr. Nagelhout, as her name was referenced as having had a deer-related traffic accident; she stated that this did not happen and the information is inaccurate.

Marilyn Goldfisher, 124 West Saddle River Road addressed the flooding issues, the improper installation of the boom in the Saddle River and the influx of debris littering both the river and the pond in the rear of her property. She distributed photographs and addressed them in detail at this time.

Mayor Kurpis stated that he would like to address the boom, with the consent and advice of the Council. Ms. Goldfisher distributed photographs of an unidentified substance being discharged into the pond in the rear of her property. She is attempting to identify this substance and to date, she has not been successful.

### **RESOLUTION FOR CLOSED SESSION**

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

**Resolution # 44-16** Offered by Council President Jensen  
Second by Council Member Kerner  
Roll Call Vote: AYES: Unanimous

At this time, the Regular Session of the meeting resumed.

### **APPROVAL OF THE BY-LAWS – 2016**

Council Member Schulstad stated that the updated copy of the By Laws that was emailed to the Mayor and Council is not the copy that was included in the packets. Mayor Kurpis suggested that this matter be tabled in order to obtain a unanimous vote as well as fine tune some additional minor points. A motion to table the adoption of the By-Laws was offered by Council President Jensen. Seconded by Council Schulstad. Voice Vote: All AYES

### **MAYOR KURPIS:**

**Bergen Mayor's Meeting of the League of Municipalities:** Mayor Kurpis stated that he attended this meeting in Trenton; Suez Water fees were addressed and there is a resolution in the Consent Agenda regarding this matter.

**Conference of Mayors - Seminar on Terrorist Attacks:** Mayor Kurpis stated that he attended this informative meeting on January 28, 2016; municipalities were encouraged to have a strong emergency plan in place in case of a wide spread event.

**Mayor's Legislative Day:** Mayor Kurpis stated that he attended this informative meeting on February 3, 2016 and COAH was reviewed; he met with the Commissioner of Transportation to discuss land adjacent to Route 17 for this purpose.

**Construction Department Complaints:** Mayor Kurpis stated that a list of complaints were solicited; the primary complaint is that the building department closes at 2:00pm.

**Police Reports:** Mayor Kurpis stated that he reads these reports every month and a concerning issue is people trespassing on Borough ponds as it is very dangerous. He would like the Council to address this matter.

**NJ Conference of Mayors:** Mayor Kurpis stated that he is attending this conference and looks forward to returning with valuable information to share with the Council.

## **BOROUGH ADMINISTRATOR**

**Wandell School Generator:** Administrator Shenkler stated that he is in receipt of a report from Lan Associates regarding the sizing of the generator for Wandell School. This report was forwarded to the Board of Education and meetings will continue regarding this issue.

**Arrest in Carlstadt:** Administrator Shenkler stated that the Saddle River Police Department played an important role in the apprehension of a dangerous criminal.

**Exxon Property Design:** Administrator Shenkler stated that he is in receipt of a letter of recommendation from the Environmental Commission about proposed design ideas for the Exxon property. He further stated that he would work with the Commission regarding this issue.

Administrator Shenkler told Ms. Goldfisher that he will be reviewing the boom and debris issues in the Saddle River as soon as possible, to get this matter rectified.

## **COUNCIL REPORTS**

Council Member Schulstad stated that the Ordinance Review Committee met on February 19, 2016 to address potential priorities for 2016, no formal action was taken. He further stated that he will be meeting with the Construction Department in order to discuss any ideas they may have that would be relevant to the Committee's work. The Board of Education will meet on February 23, 2016.

Council Member Schulstad stated that he, along with members of the Administration have met with two website design companies in order to obtain information regarding the re-design of the current website. He further stated that he would like to obtain a bid spec in order to clarify the scope of work for potential vendors.

The Wildlife Management Committee met on February 20, 2016 to set the priorities for the year and the Committee has decided to re-draft the Firearms resolution. He addressed the changes in detail at this time and suggested that the draft resolution be posted on the Borough's website. He further stated that the monthly Police Department report indicated that there were three car/deer incidents and five deer had to be euthanized in January as well as several coyote sightings. The Wildlife Committee met with the Humane Society and it has been determined that it will be in the best interest of Saddle River to work with several organizations to determine the optimum course of action for Saddle River. He further stated that he does not feel a member of the Council should be the Chairman of this committee and he would like to have Jerry DeCrosta appointed as such.

Mayor Kurpis stated that the Wildlife Committee will be ongoing and he would like two resolutions added to the Consent Agenda; the first will officially make the Wildlife Management Committee a Standing Committee, with Council Member Schulstad the liaison and the second resolution will be the appointment of Jerry DeCrosta as Chairman of the Wildlife Management Commission.

Council Member Salazer stated that the Board of Health met and discussed the Zika virus. She gave the full report in detail at this time.

Council President Jensen addressed the COAH issue, stating that the Committee has been active, meeting with United Way and the Mayor of Allendale. A housing/group home community for special needs adults was toured in Allendale.

Council Member Kerner addressed the 2016 Municipal Budget, which will be introduced at the March 21, 2016 meeting. The Finance Committee has been diligently working on both the Operating and Capital Budgets and there have been public meetings to address these issues. She reviewed items in need of further direction from the Mayor and Council. The first item discussed is a utility account from Wandell School, which is approximately \$15,000 annually and Council Member Kerner asked the Mayor and Council for direction. Council Member Schulstad stated that, as the liaison to the Board of Education, he feels that the Borough should continue to pay this at this time.

CFO Mariniello stated that the genesis of this matter dates back to when the Borough began purchasing natural gas through a co-op and the school account was included in the Borough's account in error. He further stated they should be given notice and the account be transferred by the 2017-2018 fiscal year.

The boom in the Saddle River was discussed at this time and Council Member Kerner stated that she would like to obtain feedback from Borough Engineer Spence.

Borough Engineer Martin Spence stated that in order to replace the existing boom, the cost would be approximately \$20,000, with the other alternative being relocating and lengthening the existing boom, which would not be as efficient. The proposed boom would act more to divert water rather than collecting debris. The replacement of this boom would be part of the capital budget, which can be changed throughout the year.

Council Member Acaster stated that the area where the boom is located is in dire need of being cleaned up for properties downstream. Mayor Kurpis asked if the property owner at Barnstable Court had been approached to contribute to this project and Borough Engineer Spence stated that he was not interested in the past; it was decided that he will be approached again regarding this matter.

Council Member Kerner stated that it is important to protect the downtown area in general; all were in agreement. She further stated that the fire fighter insurance coverage must be increased and this could slightly increase the operating budget. This increase will also cover CERT and OEM volunteers.

The vehicle purchase will not be authorized at this time but will be noted in the budget.

Council President Jensen stated that vehicle expenses will increase by \$20,000 in 2016.

Council Member Kerner stated that the Community Events Committee will be allocated \$35,000, placed in four categories: Memorial Day, Tree Lighting, Band Shell Events and "other". Each category will have a line item.

The rescue truck and the continuation of the water lines were included in the 2016 budget and this was addressed in detail at this time. The water line project will continue, with the goal to be to finish Fox Hedge Road.

Council President Jensen stated that he met informally with Mayor's and Council Members from other municipalities and discussed emergency services and the need to consider mutual aid.

Mayor Kurpis reiterated the danger of children going out on Borough ponds and addressed the viability of camera installation. This was discussed in detail.

Council Member Kerner stated that an additional public safety line item of \$12,000 will be added to the budget. She further stated that the tax rate will not change and more details will be available when the auditors complete their work. She addressed the Bond Anticipation Notes (BANS), which are coming due on March 24, 2016 and it was decided that the two expiring BANS would be rolled into one larger BAN, which will expire in January of 2017. A Voice Vote was taken: All Ayes.

Council Member Kerner addressed the generator for the Wandell School, as it is also being proposed as the Borough emergency shelter. The initial report indicated that this generator would have to be significantly larger than the generator purchased for the safety complex, which was approximately \$120,000. In the interim, Lan Associates will be instructed to write an addendum to their report to determine the feasibility of utilizing the old generator to hook up to Wandell School. Borough Engineer Spence stated that the old generator would have to be relocated closer to the school.

Council Member Acaster gave the report for Construction and Zoning at this time. He further stated that construction revenue is currently down from last year. Council Member Schulstad asked for specific numbers and Council Member Kerner provided this information.

Council Member Acaster gave the DPW report and the Fire Department report at this time. He read a letter from a resident regarding a traffic accident between his son and a DPW vehicle. Borough Attorney Huntington addressed this letter and was in agreement with Mayor Kurpis that a report should be obtained from his insurance carrier.

Mayor Kurpis asked about providing residents with the information regarding the correction installation of a child care seat as well as offering CPR refresher classes. Council Member Acaster stated that the Police Department will help any resident with the installation of a child seat. The CPR refresher courses could be offered by the Allendale Ambulance Corp and Council Member Kerner will obtain more information.

**BOROUGH CLERK:** Borough Clerk Macari stated that she will be attending a meeting on February 25, 2016 in Hackensack regarding the Election process and any necessary updates.

**INTRODUCTION OF ORDINANCE(S)** There were none.

**ADOPTION OF ORDINANCE(S)**: There were none.

### **APPROVAL OF BILLS**

**Resolution # 45-16** Offered by Council Member Kerner  
Seconded by Council Member Jensen  
Roll Call Vote: AYES, Unanimous

Council Member Kerner addressed three bills on the list and asked for clarification. She further stated that an additional \$15,000 has been put in the capital budget in order to correct the pitch of the floor in the EMS Center. She further stated that this project went over budget and cautioned the Mayor and Council to more thoroughly plan our projects moving forward.

### **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 an abstention with respect to the minutes of meetings at which such Council Member was not present.

Resolution Offered by Council President Jensen  
Seconded by Council Member Acaster

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

Council Member Schulstad read a draft of the resolution for the Authorizing the Creation of a Wildlife Management Committee. Council Member Kerner requested that the language be amended in R# 58-16 to read "stipend" rather than "salary". All were in agreement.

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

Marilyn Goldfisher, 124 West Saddle River Road asked about the attendance kept for Commission and Committee meetings.

Irena Holiat, 85 East Saddle River Road stated that she is very pleased that the fire fighter insurance will be increased. She asked about the purchase of a rescue truck and Council Member Acaster explained that there may be a shared services agreement with a neighboring municipality. Ms. Holiat stressed that it was important for Saddle River to consider buying their own rescue truck.

Barbara DeSenna, Fairview, NJ stated that she is not in agreement with the traffic study regarding the deer.

**Roll Call Vote:** AYES – Unanimous

**A. Approval of Minutes:** Regular Meeting: 1/18/16  
Closed Session Meetings: 1/14/16 & 1/18/16

**B. Resolutions:**

- R# 46-16** Authorizing Promotion to Assistant Chief Financial Officer Sue Hodgins
- R# 47-16** Authorizing Amendment to 2016 Temporary Budget
- R# 48-16** Authorization of Environmental Assessment
- R# 49-16** Authorization to award project to 4 Clean-Up, Inc. for Boroline Road resurfacing/Improvement in a joint agreement with the Borough of Allendale
- R# 50-16** Authorization for Soil Movement Blk 1105 Lot 35 Balian residence
- R# 51-16** Authorization for Soil Movement Blk 1301 Lot 13 Costello residence
- R# 52-16** Resolution Authorizing Raffle #150 Saddle River Day School to be held 4/16/16
- R# 53-16** Refund due to Tax Court Judgement lowering assessed value for Blk 1609 Lot 20
- R# 54-16** Refund due to Tax Court Judgement lowering assessed value for Blk 1807 Lot 4
- R# 55-16** Authorizing an additional amount of \$1,050 to USA Security Services for installation of Cameras at Wandell School (R#187-15 passed on 12/21/15 was for \$5,400.)
- R# 56-16** Appointing Emergency Management Coordinator
- R# 57-16** Authorization to retain McNerney & Associates for Appraisal Services
- R# 58-16** Appointing Deputy Emergency Management Coordinator
- R# 59-16** S. R. Water Service Connection
- R# 60-16** Creation of a Wildlife Management Committee

Mayor Kurpis stated that fire fighter Brian Yates was injured while on a call in Upper Saddle River for a working fire.

**COMMITTEE REPORTS**

**Board of Health:** Report given earlier.

**COAH:** Report given earlier.

**Const. & Zoning Enforcement:** Report given earlier.

**Environmental Committee:** There was no report at this time.

**Board of Education:** Report given earlier.

**Wildlife Management:** No report at this time.

**Fire Report:** Report given earlier.

**Police Report:** No report at this time.

**EMS Report:** Council Member Kerner gave the report for January 2016.

**Finance Report:** Report given earlier.

**Landmarks Committee:** No report at this time.

Public Works: **Report given earlier.**

**Parks and Recreation:** Council Member Schulstad gave the report for February 2016.

**Planning Board:** Council President Jensen gave the report for February 2016.

**Zoning Board:** No report at this time.

**OPEN TO THE PUBLIC:**

Mark Nagelhout, Park Ridge, NJ stated that Hillsdale and Englewood have chosen non-lethal methods for deer management. He also asked why the Wildlife Management Committee meetings are not on the website. He further stated that he would like Mayor Kurpis and other Mayor's along the Route 17 corridor to meet with the DOT in order to address the deer issue on Route 17.

Amy Atkins, Saddle River stated that she is opposed to a deer hunt.

Angie Mettler, League of Humane Voters stated that she is disappointed that a deer assessment and an aerial study has not been done. She is opposed to the amended Firearms Ordinance.

**UNFINISHED BUSINESS:**

**NEW BUSINESS:** Council Member Kerner stated that she would like to look into having the Borough Planners develop scenic corridors, which would decrease the speed limit throughout town, reducing the accidents with deer. Borough Engineer Spence stated that he can contact the County to have the speed limits reduced.

**RESOLUTION FOR CLOSED SESSION**

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

**Resolution # 61-16** Offered by Council President Jensen  
Second by Council Member Acaster  
Roll Call Vote: AYES: Unanimous

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

Respectfully submitted,

Marie Elena Macari  
Borough Clerk