

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
HELD May 16, 2016**

PRESENT: Mayor Kurpis, Council Members: Acaster, Gray, Jensen, Kerner, Salazer, Schulstad, Borough Administrator Shenkler, Municipal Clerk Convertini, Borough Attorney Huntington

ABSENT:

PRESIDING: Mayor Kurpis called the meeting to order at 7:00 p.m.; Borough 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 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: Mayor Kurpis commended Capt. Cosgriff, Detective Sgt. Gerity and Detective Reidel for their diligent work in apprehending the "ninja burglar." He read a certificate of Distinguished Service Recognition to these officers at this time.

OPEN TO THE PUBLIC:

Patty Nazzaro, 3 Westwind Court stated that May is Building Safety Month and many of the light bulbs in the Municipal Building contain mercury; she would like this rectified. She further stated that it is Mental Health Month, Police Week and National Hurricane Preparedness Month.

Alexandra Samouilidis, 4 Lookout Drive stated that she began attending Council meetings about three years ago. She further stated that she has received campaign mailings and she questioned the verification of the facts contained in this literature. She commended Council Members Kerner, Schulstad and Jensen for their hard work and does not agree that there is any divisiveness on the Council.

Marilyn Goldfischer, 124 West Saddle River Road agreed with Ms. Samouilidis and stated that the campaign must attempt to be kept more civil.

Jeff Liva, 3 Bayberry Drive stated that he received an email indicating that the Fire Department would quit if Council Member Kerner was not re-elected. He further stated that the home values in Saddle River are decreasing while neighboring towns are either increasing or remaining the same. He asked for clarification on the final amount for the construction of the EMS building. Council President Jensen stated that extra work was needed and the DPW shed must now be replaced. The original estimate was \$40,000, which was increased to \$60,000.

Fred Moss, 37 Chestnut Ridge Road thanked the Mayor and Council for their public service. He further stated that he is concerned that only 35% of the residents in Saddle River are recycling. He asked about Recycling Coordinator Bruce Mautz's responsibility; Administrator Shenkler explained his role in detail. Mayor Kurpis explained some initiatives that the Borough will undertake in order to encourage residents to recycle.

Irena Holiat, 85 East Saddle River Road stated that she is very concerned with the election rhetoric and the Police, Fire and EMS must be left out of this. She further stated that if the Fire Department were compromised due to campaign and election issues, the Mayor and Council would be fully responsible. Mayor Kurpis stated that, after an email was generated from a Saddle River fire fighter, he reached out to Fire Chief Jake Kossowsky but did not get a response. He reiterated that emergency services are sacrosanct and can't be compromised during an election.

Joanne Kakaty, 10 Eugene Road stated that she feels Council Member Kerner should address this matter with an email stating that the Fire Department should not be generating emails involving any campaign issues.

Council Member Kerner stated that a private individual emailed his friends expressing his First Amendment rights, which everyone is entitled to do. She further stated that this email does not reflect the views of the department or the association. Mayor Kurpis stated that people should be free to express their First Amendment rights but they should not be using the Saddle River Fire Department logo when doing so as this is stretching political correctness to the absurd. He further stated that he needs to find out why the Saddle River Fire Department Officers are not commenting on this matter to date.

Patty Nazzaro addressed the Bishop House irrigation system and Council Member Schulstad asked Administrator Shenkler to discuss this. There was a resolution on the Consent Agenda of the April 18, 2016 meeting to approve the installation of an irrigation system at the Bishop House in the amount of \$15,000. As many of the Council Members had no prior knowledge of this resolution, it was withdrawn for further consideration.

Joanne Kakaty stated that this was discussed at a meeting and she would like to know if there were any further discussions regarding the Bishop House. Council Member Gray stated that there was approximately \$70,000 set aside to utilize the Wandell School as an emergency shelter however, the school was not in favor of this. He further stated that he had a discussion with Administrator Shenkler regarding utilizing part of those funds for the Bishop House and the irrigation system plan was initiated from this discussion.

Gloria Blumenthal, 136 Cortland Drive stated that she has lived in Saddle River for 45 years and feels that the recent emails regarding the election and the Fire Department are blackmail. She further stated that she needs insurance that her home will be protected in the event of a fire.

Jeff Liva stated that the Bishop House is in dire need of repair and funds should be allocated for this purpose.

Gloria Blumenthal asked Council Member Kerner how she feels about this matter as she was mentioned in this email. Council Member Kerner was not in agreement with what has been portrayed as the contents of the email and stated that the Fire Department should express their own views on this matter.

Larry DiBella, West Saddle River Road stated that the Bishop House has been a historic treasure for many years in Saddle River, with many long standing residents spending time there and insuring that any necessary improvements were made. He encouraged the Mayor and Council to continue to make the necessary repairs in order for the Bishop House to continue to be utilized.

Damian Ross, 59 East Allendale Road stated that he wrote the email which is the subject of the prior discussion regarding the Fire Department and the election. He further stated that he never said he was going to leave based on the election results. Mayor Kurpis read a portion of this email which stated

"I will make this simple, if Ron Gray , Mike Toomey and Liva get in, we are looking at the possibility of our current leadership resigning" Mayor Kurpis further stated that this gives the perception that the officers may leave. Mr. Ross stated that the Fire Department has been now thrown into the political arena surrounding the upcoming primary in June. He further stated that he has taken an oath to protect and serve Saddle River and he will continue to do so but the Fire Department deserves a certain level of respect that it does not always receive. Mayor Kurpis reiterated that the residents need to feel that, in an emergency, they can count on the Fire Department to respond.

Council Member Schulstad stated that he would like to close the Open to the Public portion of the meeting at this time as he does not feel it is appropriate to put Fire Chief Jake Kossowsky on the spot. Mayor Kurpis disagreed and the public expressed their disapproval. Mayor Kurpis stated that the public deserves to hear from the Fire Department officers on this matter.

Council President Jensen asked Mr. Ross to explain the events that precipitated the feeling of disrespect among Fire Department members. Mr. Ross stated that it was not his place to address these matters as he is not an officer.

Mayor Kurpis reiterated that he attempted to reach Chief Kossowsky for several days in order to resolve this and he did not get a response from him. At this time, he asked Chief Kossowsky and Association President Brian Yates to come forward and explain this matter.

Chief Kossowsky read an email he received from Council Member Acaster regarding this matter. He further stated that he is not in the position to tell members of the Fire Department what they can or cannot say on their personal emails. He further stated that he felt the demands placed on him to respond to members of the governing body were inappropriate.

Mayor Kurpis asked Chief Kossowsky to assure the public that, if Council Member Kerner does not get re-elected, the Saddle River Fire Department will continue to serve and protect Borough residents. Mr. Yates stated that this matter has spun out of control and, as long as the Fire Department is treated with respect and is not used for political purposes, nothing will change. He further stated that Council Member Gray took credit for the stipend program as well as the increased membership, which is inaccurate.

Council President Jensen stated that it is incumbent on the Mayor and Council to insure that the Fire Commissioner and the Public Safety Committee work with the Fire Department closely so they feel supported and respected. He further stated that sending demanding emails to fire department members is inappropriate. Mayor Kurpis stated that this matter was very time sensitive and was spinning out of control, with the residents very concerned about their safety. Mr. Yates stated that, as long as the relationship with the Fire Department and the governing body remains respectful, there should not be any problems.

Council Member Acaster stated that he tried to call Chief Kossowsky twice and sent text messages prior to sending an email. He further stated that there has never been a problem with communication in the past.

Council Member Kerner stated that campaign emails continue to be generated by the Chairman of the Public Safety Committee to Borough residents stating that their homes could be at risk if the Fire Department chooses not to respond. She further stated that extortion is a second degree crime and to accuse an employee of extortion is inappropriate.

Angela Ross, 59 East Allendale Road stated that her husband, Damian Ross, is a fire fighter in Saddle River and she is appalled how he has been treated and condemned in a campaign email. She further stated that he protects and serves this community and is a very honorable man.

Alexandra Samouilidis, 4 Lookout Drive stated that Council Member Gray should publicly apologize to the Fire Department for this issue.

Tom Connors, 31 Burning Hollow Road stated that perhaps there is a bigger issue here that must be determined and dealt with.

Dan Miller, Lt. Saddle River Fire Department stated that he has no intention of leaving the Fire Department and he credits the leadership of Chief Kossowsky and Brian Yates for the department's increased membership and success.

Irena Holiat suggested that a civilian review board be put in place so issues like this do not reoccur.

Nick Biondi, 33 Dater Lane, a Saddle River fire fighter, stated that he will not be leaving and commended Council Members Kerner and Schulstad for their public service.

Nick Turturro, 7 Mohegan Trail stated that the word "extortion" was not an appropriate term to use when referring to a volunteer.

Nik Atkas, 33 Dater Lane stated that the word "extortionist" is not a word that should be used. He urged the Council to keep the Fire Department out of politics and respect the volunteers of the Borough.

Vasiliki Saitas, 3 Bayberry Drive stated that she is very concerned about the possibility of constructing special needs housing in Saddle River.

Nick Biondi stated that keeping politics out of the Fire House is of paramount importance. He also asked about the deer census and Council Member Schulstad gave an update on this.

Amy Atkinson, 9 Westerly Road stated that there has been a lack of transparency with the Wildlife Management Committee. She also inquired about the utilization of drones in order to conduct a deer count. Council Member Schulstad stated that there will not be a count conducted for some time. Mayor Kurpis stated that the Wildlife Management Committee has been working diligently on finding a humane solution to this problem.

Council Member Kerner stated that the Council waited patiently for the Humane Society's report and it took an inordinate amount of time to obtain.

Council Member Schulstad stated that a referendum may take place on this matter at the General Election in November.

Rockwell Schwartz, Ridgewood stated that the Wildlife Management Committee members are not listed on the website and she inquired if the meetings are open to the public. Council Member Schulstad stated that he is the Council liaison to the committee and does not control if the meetings are open to the public.

Ferne Lambert, 119 West Saddle River Road stated that a volunteer that sends out an email indicating that the Fire Department may not respond under certain circumstances should apologize for unnecessarily alarming the public.

Angela Ross stated that she wanted to clarify that this was a private email and not a letter. Jeff Liva, 30 Bayberry Drive asked about hydraulic lifts for residential use. Mayor Kurpis stated that this should be brought before the Planning Board. Council Member Gray stated that many of the people that are interested in this lift are car collectors. He further stated that the Ordinance Review Committee should address this issue.

Mayor Kurpis stated that he feels confident that the Fire Department will respond without issue in the case of any emergency and he feels that tonight's dialogue was beneficial. He further stated that he does not want the Fire Department to be part of the political scenario.

Nik Aktas stated that the public has to trust the members of the Fire Department.

Bob LaViano, 59 Woodcliff Lake Road stated that the root cause of the problems in Saddle River are being caused by the Council Members and the atmosphere is being poisoned by the negativity.

WORK SESSION:

MAYOR KURPIS:

2016 New Jersey Conference of Mayor: Mayor Kurpis stated that he attended this meeting in April in Atlantic City and attended many informative seminars, which he discussed in detail.

Northwest Bergen Mayor's Meeting: Mayor Kurpis stated that he attended this meeting and a key topic covered was labor law. Litigation between employees and municipalities is on the rise and it is prudent for communities to be sufficiently prepared.

SeemlessDocs: Mayor Kurpis stated that he met with this company at the Mayor's Conference in Atlantic City and then attended a webinar with Borough Administrator Shenkler, Council Members Schulstad and Salazer and Municipal Clerk Convertini. He further stated that he would like to see the Borough go as paperless as possible and SeemlessDocs digitizes and streamlines the entire form process from form creation to storage and management.

BOROUGH ADMINISTRATOR

Auction: Administrator Shenkler stated that the Borough conducted an online auction of several cars and miscellaneous items; \$32,300 was received for these items.

Website Update: Administrator Shenkler stated that GovOffice has presented two webinars to the Borough for website redesign. The contract is currently being reviewed in order to retain this firm and a resolution will be offered at the June 20, 2016 meeting of the Mayor and Council.

Donation of Generator to Evesham Township: Administrator Shenkler stated that this generator was no longer needed by the Borough and Evesham Township had a need for a backup generator at their senior center. Local communities were surveyed and none of them were in need of a generator. The Borough of Saddle River will receive credit for this donation.

ENGINEERING REPORT:

- **Fox Hedge Water Main Project:** Borough Engineer Martin Spence stated that the Fox Hedge Water main installation is complete and paving will take place in August 2016.
- **Bergen County Mosquito Commission:** The Commission will return in order to perform some maintenance in the Saddle River, particularly the removal of sand bars.

- **Streetscape III:** This DOT funded project will go out to bid shortly. This project will extend pavers, include period lighting, and additional signage. Grants can be applied separately for crosswalks.
- **Boroline Road Project:** This project is a joint project with the Borough of Allendale and should commence by the end of May.
- **Salt Shed Reconstruction:** The new salt shed bid has been awarded and there will be a preconstruction meeting on May 20, 2016.
- **Lowering Speed Limits on County Roads:** The County is going to perform speed checks in order to do an analysis and furnish a report.
- **Open Space Grants:** Grant opportunities will be reviewed in order to fund potential projects within the Borough.

MUNICIPAL CLERK

Municipal Clerk Joy Convertini stated that the last day to register to vote in the June Primary is May 17, 2016 and the last day to apply for a Mail-In Ballot is May 31, 2016.

COUNCIL REPORTS:

Mayor Kurpis asked if Council Reports could be combined with Committee Reports in order to streamline the agenda. Council President Jensen stated that in the past, the work session portion of the agenda was held prior to the regular meeting in order to shorten the meeting as well as being to take action on items previously discussed. Mayor Kurpis suggested that the agenda be streamlined and reviewing other municipalities' agendas may be beneficial.

Council Member Schulstad stated that the newsletter was published and Mayor Kurpis stated that he has received great feedback. Council Member Schulstad addressed the redesign of the Borough website, explaining that several companies were evaluated and it has been determined that GovOffice will be able to best meet the Borough's needs with a new website. He further stated that he would like the Borough Administrator to explain this in detail; the terms of the contract were addressed. Council Member Kerner stated that the Council is in receipt of a detailed report from the Public Information and Transparency Committee outlining the research that took place to secure a new provider for the website. Mayor Kurpis reiterated that he would like this expedited as soon as possible, as it is one of the Borough's most important tools.

Council Member Schulstad stated that the Wildlife Management Committee has not met since the last Council meeting. He further stated that there will be a meeting scheduled shortly but it will be for Committee members only. He further stated that The Humane Society Report does not contain any information on the regulation approval process or cost information on the sterilization process. If a referendum is going to be considered, it must be adopted at a Regular Meeting of the Mayor and Council in either July or August. This will be further discussed at the June 20, 2016 meeting of the Mayor and Council.

The Board of Education met on April 26, 2016 and the budget was passed. A new interim Superintendent has been hired to replace Dr. Ronzitti.

Council Member Salazer gave the Board of Health report for April 2016. She also gave the report for the Landmarks Commission, highlighting that there will be an introductory opening of the Saddle River Museum on May 30, 2016 in conjunction with the Memorial Day celebration.

Council Member Gray gave the Police Department Report for April 2016, highlighting a letter of commendation regarding Captain Cosgriff, Detective Reidel and Officer Michael Cooper in the capture of a known criminal in Bergen County. Council Member Gray gave the report for the Environmental Commission for April 2016. There was no Zoning Board of Adjustment meeting in May.

Council President Jensen gave the report for the Planning Board in May 2016.

Council Member Kerner explained the resolution regarding the Volunteer Tuition Credit Program for volunteers at this time. She also addressed a resolution approving a settlement agreement with North Jersey Media Group regarding OPRA. The Borough will be implementing some operational changes in order to infuse more technology into the OPRA compliance process. The Borough is currently reviewing vendors that provide email archiving technology.

Council Member Acaster gave the Construction and Zoning, DPW and Fire Department report for April 2016. The Construction Department revenue was discussed in detail at this time. Council Member Schulstad asked about the purchase of a new vehicle for Construction Official John Scialla and **Borough *Attorney Huntington and Mayor Kurpis were in agreement that this would require Council approval.**

INTRODUCTION OF ORDINANCES: There were none.

ADOPTION OF ORDINANCE(S) Clerk to read the title of:

Ordinance No. 16-919-M

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND A NEW FIRE ENGINE AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,168,100 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 # 101-16 was offered by Council Member Kerner
Seconded by Council President Jensen

Motion to Open to the Public by Council Member Schulstad
Seconded by Council President Jensen
Voice Vote: All AYES

OPEN TO THE PUBLIC: Irena Holiat, 85 East Saddle River Road asked why this vehicle was necessary. Council Member Kerner clarified that this vehicle is not for the Construction Official, it is for the Fire Department.

Motion to Close the Hearing to the Public by Council Member Schulstad
Seconded by Council President Jensen
Voice Vote: All AYES

Roll Call Vote: AYES, Unanimous

B. Resolutions:

R# 103-16	Custodian of Petty Cash Fund
R# 104-16	Donation of Generator to Evesham Township, NJ
R# 105-16	Authorizing Volunteer Tuition Credit Program
R# 106-16	Appoint Dean Cerf, DVM, PA to Wildlife Mgmt. Committee
R# 107-16	COAH Refund – 16 Old Woods Road
R# 108-16	Update Various Borough Ordinances

Roll Call Vote: AYES, Unanimous

Council Member Schulstad stated that the Environmental Recycling Program resolution seems to be linked to the Wandell School Streetscape Beautification resolution and they each have their own merits. He further stated that the Environmental Recycling Program currently has contractual issues which need to be rectified. He distributed a revised copy of the Wandell School Streetscape Beautification program. Mayor Kurpis stated that he feels that it is important for the Wandell students to understand the importance of recycling and having these two programs work in conjunction with each other would accomplish that goal. Council Member Kerner stated that it was her understanding that funds could not be earmarked for specific projects such as this and she would like to see these projects evaluated separately. She further stated that the contract for the clothing recycling bins is not acceptable as written but the idea of recycling is certainly something Saddle River should explore.

Mayor Kurpis stated that he would like to find a recycling program that all could agree on in order to show that Saddle River is concerned for the both the community as well as the planet.

Resolution to Authorize Environmental Recycling Program to Fund Wandell School Streetscape Beautification Program: Withdrawn

Resolution to Authorize Wandell School Streetscape Beautification Program

Resolution #109-16 Offered by Council President Jensen

Seconded by Council Member Kerner

Roll Call Vote: AYES, Unanimous

Resolution for Fire fighter Uncovered Liability – Stephen Schieviello

Resolution Offered by Council Member Acaster

Seconded by Council Member Gray

Council Member Kerner stated that the analysis presented to outline the loss to the value of the vehicle was not accurate or adequate. Council President Jensen asked if Borough Administrator Shenkler had reviewed these figures and he said that he had with the exception of one figure. Council Member Acaster requested that this resolution be withdrawn in order to further verify the figures presented.

Council President Jensen stated that the Resolution Approving a Settlement Agreement between the Borough of Saddle and North Jersey Media Group should be furthered addressed in Closed Session. A motion was made to move this resolution after Closed Session. Seconded by Council President Jensen. Voice Vote: All Ayes

OPEN TO THE PUBLIC:

Marilyn Goldfischer, 124 West Saddle River Road stated that she feels that a recycling program would be beneficial and she works with Planet Aid who collects clothes for the needy. She further stated that the Borough should not profit from clothing recycling; monies necessary for the Wandell School Streetscape Beautification Program should be obtained from other sources.

She also asked about the Resolution regarding the Updating of Borough Ordinances. Administrator Shenkler explained this resolution in detail, stating that additional members were to be added to the Ordinance Review Committee. Additionally, the Borough will address abandoned properties and property maintenance in detail. Council President Jensen read the resolution at this time.

Ms. Goldfischer stated that she does not feel that Building Inspector John Scialla should have a Borough car to utilize as he is employed in other towns. She further stated that receiving a stipend should be sufficient, in light of reduced revenues in the Building Department. Council Member Acaster clarified that revenues are not down in the Building Department and he explained this in detail, stating that the inclusion of a vehicle is part of his compensation package.

Patty Nazzaro, 3 Westwind Court asked about a COAH refund and this was addressed in detail at this time. She also addressed additional lighting in Rindlaub Park as well as property maintenance and the need for an updated website.

COMMITTEE REPORTS

All reports given earlier during Council Reports.

OPEN TO THE PUBLIC:

Ms. Goldfischer asked about the status of the boom in the Saddle River. Mayor Kurpis addressed this matter in detail.

UNFINISHED BUSINESS:

NEW BUSINESS:

RESOLUTION FOR CLOSED SESSION

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

Resolution # 110-16 Offered by Council President Jensen
Second by Council Member Schulstad
Roll Call Vote: AYES: Unanimous

At this time, a motion was made and seconded to return to the Regular Session of the meeting.

Resolution Authorizing Borough Administrator to Execute a Contract with Alampi & DeMarrais as Coverage Counsel

Resolution # 111-16 Offered by Council Member Schulstad
Seconded by Council President Jensen
Roll Call Vote: AYES, Unanimous

Resolution Approving a Settlement Agreement with the North Jersey Media Group

Resolution #112-16 Offered by Council Member Kerner

Seconded by Council Member Schulstad

Roll Call Vote: AYES: Acaster, Gray, Kerner, Salazer, Schulstad

NAYES: Jensen

ADJOURNMENT: A motion to adjourn was made and seconded.

Respectfully submitted,

Joy C. Convertini
Municipal Clerk