

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
August 15, 2016**

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

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 January 4, 2016." Also on the official Borough website and E-notify.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE

AWARDS AND CEREMONIES:

Mayor Kurpis read a proclamation regarding the **Fibrodysplasia Ossificans Progressiva Awareness
Initiative.**

Police Chief McWilliams commended Saddle River Detectives Riedel and Gerity for their efforts in
apprehending two members of the "James Bond Gang" who were involved in a burglary on Eugene Road
in Saddle River.

OPEN TO THE PUBLIC:

Marilyn Goldfischer, 124 West Saddle River Road addressed the locations of real estate signage, stating
that many of the signs are not legally located.

Debbie Hardesty, 15 East Saddle River Road stated that the speed limit on East Saddle River Road
should be reduced and better lighting is needed. Additionally, she stated that more signage is needed.
She is in favor of non-lethal methods to remedy the deer issue in town.

Patty Nazzaro 3 Westwind Court stated that there were several deer signs that were removed and need
to be replaced.

WORK SESSION:

MAYOR KURPIS:

Ordinance Review Committee: Mayor Kurpis stated that this committee is making great progress
addressing issues that residents are concerned about, including deer fencing.

BOROUGH ADMINISTRATOR

Bergen County Open Space Trust Fund: Administrator Shenkler stated that an Intent to Apply for this grant has been submitted in order to fund irrigation on Field C in Rindlaub Park. The project will be approximately \$20,000, with the County grant providing 50% of matching funds. There is a resolution in the Consent Agenda for this project.

Website Update: The Borough has contracted GovOffice to redesign the Borough website and work to transition from the current vendor will begin shortly.

Work Session Meetings: Administrator Shenkler stated that the Mayor and Council has deemed it necessary to hold a Work Session Meeting and the dates must be addressed.

ENGINEERING REPORT: Administrator Shenkler gave the Engineering Report as Borough Engineer Martin Spence was not in attendance:

- **Road Re-surfacing:** This project was completed on the following Borough roads: West Church, Esler, Stonewall and Cedarwood Roads.
- **DPW Salt Shed:** This project will begin on August 22, 2016 and the contractor has submitted plans to the Building Department for review and permit issuance.
- **Streetscape III:** The project is underway but additional work is going to be delayed due to a mandatory work stoppage of all projects funded by the Transportation Trust Fund.
- **Barnstable Boom:** A new "Worthington Tuff-Boom" has been ordered and will be installed in August. The work will be done by an outside contractor and bids will be solicited.
- **Streetscape IV:** Received grant contract from DOT, work to take place in the winter of 2016/2017
- **Fox Hedge Water Main Installation:** This project is complete.

Council Member Kerner asked about the construction at Colonial Shopping Center and Administrator Shenkler addressed this in detail. All stores will have door and window replacements, new signage and a new roof.

Administrator Shenkler stated that some minor repair work would be taking place at the Borough Hall to include fixing stucco, gutters, and some painting.

Council Member Kerner asked if a conference call could be set up periodically with GovOffice regarding the website design in order to track the progress. All were in agreement.

BOROUGH ATTORNEY:

MUNICIPAL CLERK:

INTRODUCTION OF ORDINANCES: There are none.

ADOPTION OF ORDINANCE(S)

Ordinance No. 16-922-C

An Ordinance to Supplement Chapter 166, Property Maintenance, of the Borough Code Regulating the Care, Maintenance, Security and Upkeep of Vacant and Abandoned Residential Properties in Foreclosure

Resolution #145-16 was offered by Council Member Schulstad
Seconded by Council President Jensen

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

OPEN TO THE PUBLIC: No one wished to be heard.

Council Member Gray addressed lawn maintenance on abandoned or foreclosed properties and all were in agreement that this is covered under the guidelines of maintaining vegetation referenced in the ordinance.

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

Roll Call Vote: AYES, Unanimous

APPROVAL OF BILLS

Resolution #146-16 Offered by Council Member Kerner
Seconded by Council President Jensen
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 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 Gray

The following three resolutions were requested to be removed for separate consideration:

- **Retroactive Pay Adjustment – Non Bargaining Employees**
- **Appoint Council Member Salazer to Transparency Committee**
- **Authorize Purchase of New Vehicle for Construction Official**

Explanation of Consent Agenda Items

- A. Approval of Minutes:** Regular Council Meeting: July 18, 2016
B. Resolutions:

- R# 147-16 Authorize Official Towing Operator's License List**
R# 148-17 Reorganization Meeting Date
R# 149-16 Tax Court Judgement Refund Blk. 1606 Lot 14
R# 150-16 Adopt Policy and Procedure Manual
R# 151-16 Fibrodysplasia Ossificans Progressive Awareness
R# 152-16 Support Senate & Assembly- Affirms Legislative Intent of the Fair Housing Act
R# 153-16 Authorize Open Space Grant – Rindlaub Park Irrigation
R# 154-16 Cancellation of Outstanding Checks

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:

Marilyn Goldfischer, 124 West Saddle River Road stated that she was not in agreement with the purchase of a new vehicle for the construction official.

Roll Call Vote: AYES, Unanimous

COMMITTEE REPORTS

Board of Health: There was no report at this time. The flu clinic will be held on October 13, 2016.

Landmarks Committee: There was no report at this time.

COAH: There was no report at this time.

Planning Board: There was no report at this time.

Const. & Zoning Enforcement: Council Member Acaster gave the report for July 2016.

Public Works: Council Member Acaster gave the report for July 2016.

Environmental Committee: Council Member Gray gave the report for June 2016.

Zoning Board: Council Member Gray gave the report for July 2016.

Board of Education: Council Member Schulstad gave the report for July and August (Two meetings were held). The Wandell Beautification Program (seasonal plantings) were discussed. Planters will be constructed and the planting program will commence next year. Council Member Kerner asked about the funding of this program and this was discussed in detail, as the Board of Education is under the impression that we will continue to fund this program on a seasonal basis.

Parks and Recreation: No report at this time.

Ordinance Review Committee: Council Member Schulstad gave the report for July 2016. Permitting deer fencing was addressed as well as changes in the zoning code in order to make restrictions more resident friendly. The next meeting is scheduled for September 16, 2016 at 8:00 am and Council Member Schulstad encouraged Council members to offer any suggestions for review.

Wildlife Management: No report at this time. Council Member Schulstad stated that there is not a viable non-lethal deer management plan at this time and he suggested that Chairman DeCrosta schedule a meeting of the Wildlife Management Committee in September. The referendum was discussed and the addition of another question was addressed but it was determined that the original two questions adopted at the Mayor and Council Meeting held on July 18, 2016 would stand.

Department of Public Safety:

Fire Report: Council Member Acaster gave the report for July 2016. He further stated that the Quint Fire Truck and the rescue vehicle will be delivered by the end of the year.

Police Report: Council Member Gray gave the report for July 2016. He reminded the public to utilize home alarms in light of the recent burglaries.

EMS Report: Council Member Kerner addressed the Allendale Ambulance Annual Fund Drive letter which was distributed to the Mayor and Council for their review. She further stated that Allendale Ambulance is available to attend any public events in the Borough.

Finance Report: Council Member Kerner gave the report for July 2016. She further stated that 2017 Budget preparation has begun. Capital expenditures that were previously approved in the amount of approximately \$1,500,000 are coming due and Finance Director Mariniello will be researching the procurement of BANS. She addressed a bond rating, which is being evaluated at this time. Council Member Kerner stated that our new Tax Assessor, Marie Merolla, is interested in obtaining more information about conducting a re-valuation in Saddle River and she will attend the September meeting to address this matter. The bill paying process will also be evaluated in order to go electronic and streamline the process.

OPEN TO THE PUBLIC:

Patty Nazzaro, 3 Westwind Court stated that the shields outside both the Police and Fire Department are in need of replacement. She further stated that the Wildlife Committee's work has been completed; the State will not approve a non-lethal deer management program without the implementation of a lethal method. Ms. Nazzaro also addressed Council Member Schulstad's emails, regarding the school tax and this was discussed at this time. It was agreed that any emails from Council Members, using their personal email addresses, would contain a disclaimer indicating that the contents are not the views of the Mayor and Council of the Borough of Saddle River.

Jean Holden, 48 West Wildwood Road asked about the Wandell Centennial tree and who was in favor of this. Council Member Gray explained that this initiative was generated from the Environmental Commission.

Rockwell Schwartz, 936 East Ridgewood Avenue, Ridgewood, NJ thanked the Council for their diligent work on the referendum regarding the deer management issue. She further stated that she does not believe that there is any proof that the State requires a lethal method of deer management before a non-lethal method can be initiated. Council Member Kerner stated that the Division of Fish and Wildlife attended a meeting in Saddle River and this information was generated from them. She also stated that there is ample funding in order to conduct a non-lethal program. She asked about the members of the Wildlife Management Committee and Council Member Schulstad addressed this at this time. Mayor Kurpis stated that the results of the referendum in November will be very important and he also encouraged Ms. Schwartz to look into the funding she mentioned previously.

Steven Lepore, Ridgewood News stated that he would not be available to attend Work Session Meetings on a Thursday and would appreciate if the Mayor and Council could consider holding these meetings on Mondays.

Marilyn Goldfischer 124 West Saddle River Road asked about the location of the Streetscape IV project and Administrator Shenkler addressed this in detail at this time. She cautioned that the proposed location of these pavers are in the flood zone. She also asked about the website and the ability to email photographs. Ms. Goldfischer stated that the Wildlife Management Committee should also address the coyote problem in Saddle River.

Paul Marcus, 6 Bayberry Drive discussed deer fencing and suggested that the code be changed in order to permit a fence height in excess of six feet. Mayor Kurpis stated that the Ordinance Review Committee is currently reviewing this matter. Council President Jensen stated that the committee is considering the installation of a fence in excess of six feet as long as it is located adjacent to the rear of the dwelling.

Warren Park, 29 Bayberry Drive addressed the coyote problem in his area as there are empty lots in his neighborhood and parents are concerned about children and pets. Council Member Schulstad stated that a resolution was adopted regarding this matter and the Wildlife Management Committee should address this. Chief McWilliams stated that the State will not permit trapping, relocating or killing of coyotes in their natural environment if they are not threatening human life.

Eve Marcus, 6 Bayberry Drive addressed the deer problem and stated that Ho-Ho-Kus does not seem to have a significant problem with deer.

Amy Atkins, 19 Westerly Road stated that there are several organizations that can address coyote and bear issues.

Council President Jensen addressed holding Work Session Meetings, specifically the noticing of these meetings. Attorney Huntington stated that it must be considered a Special Meeting as it was not included in the Annual Meeting Schedule adopted at the Reorganization meeting in January. He further stated that he would research a way to amend the Annual Meeting Schedule for the remainder of 2016.

Council Member Kerner stated that there seems to be an issue with the scheduled date of the Thursday, the week following a regular meeting of the Mayor and Council. Mayor Kurpis stated that he would have a problem attending these Work Session meetings for August and September. Council President Jensen stated that he feels that the meeting should be scheduled when the Mayor can attend. It was decided that the first Work Session Meeting would be September 8, 2016.

A motion was made by Council President Jensen to hold a Work Session (noticed as a Special Meeting) on September 8, 2016 at 7:00 pm. Seconded by Council Member Kerner.

Roll Call Vote: AYES, Unanimous.

UNFINISHED BUSINESS:

NEW BUSINESS: Council Member Kerner asked about the continuation of the Wildlife Management Committee. She further stated that the committee should obtain some direction concerning the scope of their objectives moving forward.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 155-16 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.

Amended Salary Resolution – Retroactive Pay Adjustment for Non-Bargaining Employees

Resolution # 156-16 Offered by Council President Jensen
Second by Council Member Gray

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

(No resolution for #157-16)

Resolution Appointing Council Member Salazer to the Public Information and Transparency Committee

Resolution #158-16 Offered by Council President Jensen
Seconded by Council Member Gray

Roll Call Vote: AYES: Acaster, Gray, Salazer, Mayor Kurpis
NAY: Jensen, Kerner, Schulstad

Resolution Authorizing the Replacement of the Vehicle for the Construction Official

Resolution # 159-16 Offered by Council President Jensen
Second by Council Member Gray

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

ADJOURNMENT: A motion to adjourn was made and seconded.

Respectfully submitted,

Joy C. Convertini
Municipal Clerk