

**MINUTES OF THE RE-ORGANIZATION MEETING  
OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SADDLE RIVER  
JANUARY 4, 2016**

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

**ABSENT:**

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Mayor Kurpis called the meeting to order at 7:00pm.

**OATH OF OFFICE**

Borough Attorney Huntington stated that Mayor Kurpis and Council Members Acaster and Salazer were previously sworn in on January 3, 2016.

**PLEDGE OF ALLEGIANCE**

**NOTIFICATION OF FIRE EXITS** – At this time, Mayor Kurpis pointed out the locations of the fire exits.

**INVOCATION:**

Mayor Kurpis stated that Pastor Wesley Smith, Zion Evangelical Lutheran Church would deliver the invocation; he bestowed blessings to the Borough of Saddle River community and the attending public.

**NOTICE OF MEETING READ BY BOROUGH CLERK:**

"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.

**MAYOR'S COMMENTS**

Mayor Kurpis thanked all those in attendance at the swearing in ceremony for the newly elected officials held on January 3, 2016.

He further stated that it is his hope that the Council will support him as he embarks on his new role as Mayor. He stated that he will meet with Borough employees individually on January 8, 2016 in order to gain insight as to the day to day operations in the Borough and how they may be enhanced.

Mayor Kurpis encouraged the entire Council to obtain a full understanding of all pertinent financial matters and stated that he is going to ask the Chairman of the Finance Committee to provide Council Members with user-friendly financial information moving forward.

### **BY-LAWS FOR 2016:**

Mayor Kurpis stated that the By-Laws for 2016 need further review; a draft of amendments was submitted and Mayor Kurpis asked the Council to review this for future action.

Mayor Kurpis stated that the website must be revamped with an enhanced community calendar as well as the posting of all pertinent Borough matters in an effort to foster transparency.

He further stated that he would like the Council to familiarize themselves with the administrative staff and their workspaces. He stated that he has some concerns that he would like to share with the Council.

In 2016, some large capital budget items will be considered and he encouraged the Council to review this carefully. The summer concerts were also addressed and Mayor Kurpis stated that the Council must decide if they wish to continue them as a vehicle to bring the community together.

Mayor Kurpis stated that he will attend a Mayor's conference that will address terror issues in local municipalities; this information will be very valuable to the community. He further stated that the water main project must be continued while remaining fiscally responsible.

Mayor Kurpis stated that he is aware that there will be differences amongst Council Members but it is his hope that business will be conducted with civility while serving the people of Saddle River.

### **ELECTION OF THE COUNCIL PRESIDENT**

#### **A. Motion by Council Member Kerner to elect Council Member Jensen as Council President for 2016. Seconded by Council Member Jensen.**

Council Member Schulstad stated that he would welcome Council Member Jensen as Council President as he feels he is the most experienced for the position.

Council Member Kerner stated that she feels that Council Member Jensen will make a very effective Council President as he possesses skills that are invaluable for this role.

Council Member Jensen stated that he thought that Council Member Kerner was the best choice for Council President; he would be honored to be Council President.

**Roll Call Vote:** AYES: Council Members Jensen, Kerner, Schulstad  
NAYES: Council Members Acaster, Gray, Salazer

### **MOTION DENIED**

**B. Motion by Council Member Schulstad to elect Council Member Kerner as Council President for 2016. Seconded by Council Member Jensen.**

Council Member Schulstad stated that he feels that Council Member Kerner is the leader of the Council and would be a logical choice for Council President.

**Roll Call Vote:** AYES: Council Members Jensen, Kerner, Schulstad  
NAYES: Council Members Acaster, Gray, Salazer

**MOTION DENIED**

**C. Motion by Council Member Acaster to elect Council Member Gray as Council President for 2016. Seconded by Council Member Gray.**

**Roll Call Vote:** AYES: Council Members Acaster, Gray, Salazer  
NAYES: Council Members Jensen, Kerner, Schulstad

**MOTION DENIED**

Mayor Kurpis stated that, as all three nominations were voted down, this will have to be resolved as it is mandatory to have a Council President.

Council Member Schulstad stated that State law affords Mayor Kurpis the authority to appoint a Council President. Mayor Kurpis stated that he is aware of this but it is his hope that the Council can come to an agreement in order to discourage a divided Council.

**ADOPTION OF 2016 BY-LAWS**

Council Member Gray offered a motion to carry the adoption of the By-Laws for 2016, pending further review of the amended draft copy.  
Seconded by Council Member Schulstad  
Roll Call Vote: AYES, Unanimous

**COUNCIL REPRESENTATIVE APPOINTMENTS:**

Mayor Kurpis proposed the following liaison assignments:

	<b>COUNCIL REPRESENTATIVE</b>
Board of Education	Paul Schulstad
Board of Health	Liz Salazer
Environmental Commission	Ron Gray
Finance	Corinne Kerner

Landmarks Commission	Liz Salazer
Parks & Recreation Commission	Paul Schulstad
Planning Board	Eric Jensen
Zoning Board of Adjustment	Ron Gray

**STANDING COMMITTEE & COMMISSION APPOINTMENTS**

**Standing Committees**

**Council Appointments**

Board of Education	Paul Schulstad
Buildings & Grounds Roads, Streets, Lighting Drainage and Sanitation	Ben Acaster
COAH	
Construction & Zoning Enforcement	Ben Acaster John Scialla, Construction Official
Dept. of Public Safety	Police: Ron Gray, Chairman Fire: Ben Acaster EMS: Corinne Kerner OEM: John Bishop Les Shenkler, Admin. Liaison: Corinne Kerner
Environmental & Green	Ron Gray
Finance	Michael Mariniello, CFO Corinne Kerner, Chairman Liz Salazer Mayor Kurpis
Ordinance & Legislation	Paul Schulstad, Chairman Eric Jensen *Patty Nazzaro, ZBA Rep. *Jeff Liva, P.B Rep (Advisory Positions*)
Personnel	Ron Gray, Chairman Ben Acaster

Planning Board	Les Shenkler, Administrator Eric Jensen
Public Information & Transparency	Paul Schulstad, Chairman Corinne Kerner
Special Events Committee	Liz Salazer Ben Acaster, Co-Chairpersons John Lasalandra
Wildlife Management Committee	Paul Schulstad

Motion to Ratify- Moved by Council Member Gray  
Seconded by Council Member Salazer

Council Member Kerner stated that she does not feel it would be prudent for her to serve on the Personnel Committee due to some events that took place last year which involved an unauthorized investigation of both her employer and herself. She further stated that she had to retain legal counsel in this matter and it relates to some personnel issues and therefore it would not be appropriate for her to serve in this position at this time. She further stated that she would like to switch with Council Member Acaster and be the Council Representative for the Fire Department and Council Member Acaster would be on the Personnel Committee. She further stated that she has been working closely with the Fire Department and they deserve an experienced Council Member that can guide them through the paperwork and the budgeting process. She further stated that Council Member Acaster would be an asset on the Personnel Committee from his past experience as an Upper Saddle River Police Officer. Council Member Kerner feels that Council Member Gray would be a natural fit for EMS, as he was instrumental in the re-purposing of the DPW facility for EMS personnel and has been working closely with them. She further stated that Council Member Jensen be appointed as the representative to the Police Department which also acts as the Public Safety Committee Chairman; she stressed the importance of having members of the Public Safety locally available in the event of emergencies.

Mayor Kurpis stated that he is in agreement that Council Member Kerner be removed from the Personnel Committee for the reasons previously stated and he asked for recommendations for this appointment. He further stated that his appointments for the Public Safety Committee will stay as proposed.

Council Member Gray stated that he is in agreement with the appointment of Council Member Acaster on the Personnel Committee. He further stated that Council Member Acaster is highly qualified to be the Council Representative for the Fire Department, as he has served as a fire fighter in Saddle River.

Council Member Schulstad stated that the Fire Department should be polled to see who they would like to see appointed as Fire Commissioner. He further stated that Council Member Kerner would be the best choice for this role.

Mayor Kurpis stated that Council Member Acaster can more efficiently assess and convey the needs of the Fire Department; both potential expansion requirements and equipment needs.

Mayor Kurpis stated that Council Member Kerner has made great strides with EMS and, as she is locally available, it is a logical appointment.

Council Member Acaster stated that he served on the Saddle River Fire Department for many years prior to becoming a Police Officer in Upper Saddle River for 29 years, attending many fires throughout his tenure. He further stated that he has known many of the current fire fighters for many years, has worked with them and understands their passion for public service. He stated that, as he has a contracting business, he will also be an asset when assessing the expansion needs of the fire house.

Council Member Schulstad stated that he feels that Council Member Kerner should be added to the Public Information and Transparency Committee. Additionally, he stated that Council Member Kerner be appointed as OEM Liaison and also requested that the COAH Representatives be removed from this resolution and addressed in Closed Session. Mayor Kurpis was in agreement with these three requests from Council Member Schulstad.

Council Member Jensen asked if the Planning Board and Zoning Board representatives on the Ordinance and Legislation Committee would be only an advisory capacity. He was advised that they would be non-voting members.

Council Member Kerner stated that the By-Laws indicate that a Chairman should be appointed for the aforementioned committees. This was addressed at this time.

Council Member Schulstad stated that he feels that Council Member Jensen is better qualified to be the Chairman of the Ordinance and Legislation Committee. Mayor Kurpis stated that he feels that Council Member Schulstad has shown his thoroughness to detail in this area in the past and urged him to act as Chair. Council Member Schulstad agreed.

**Roll Call Vote:** AYES: Council Members Jensen, Kerner, Schulstad, Mayor Kurpis  
NAYES: Council Members Acaster, Gray, Salazer

**APPOINTMENTS TO BOARDS/COMMITTEES/COMMISSIONS**

<b><u>Planning Board</u></b>	<b><u>Term of Office</u></b>	<b><u>Expiration</u></b>
Class I Albert J. Kurpis Mayor	4 yrs	12/31/19
Class II Jeff Liva	3 yrs	12/31/18
Class IV Jonathan Kurpis	4 yrs	12/31/19
Class IV Rebecca Rogers	4 yrs	12/31/19
Alternate #1 Gerald M. Bedrin*	2 yrs	12/31/17

**Planning Board Class III Member**

Council Member Jensen	1 Yr	12/31/16
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<b><u>BOARD OF HEALTH</u></b>	<b><u>Term of Office</u></b>	<b><u>Expiration</u></b>
Duncan Carpenter	3 yrs	12/31/18
Frida Parker	3 yrs	12/31/18
Stafford Patentas	3 yrs	12/31/18

Darlene Mandeville, Environmental Health Specialist Northwest Bergen Regional,	1yr	12/31/16
Angela Musella, Health Officer	1Yr	12/31/16

**ZONING BOARD OF ADJUSTMENT**

Lawrence A. Raia	4 yrs	12/31/19
Jerry DeCrosta, Alt. #1	2 yrs	12/31/17

**ENVIRONMENTAL COMMISSION**

Jeff Liva,	3 yrs	12/31/18
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**LANDMARKS COMMISSION**

Ferne Lambert	3 yrs	12/31/18
Joanne Kakaty	3 yrs	12/31/18
Gloria Blumenthal	3 yrs	12/31/18

\*filling an unexpired term

**LOCAL ASSISTANCE BOARD**  
**By Bergen County**

**NOW, THEREFORE, BE IT RESOLVED**, that the aforementioned appointments are hereby confirmed by the Mayor and Council of the Borough of Saddle River.

Motion to Ratify  
Moved by Council Member Gray  
Seconded by Council Member Salazer  
**Roll Call Vote:** AYES: Acaster, Gray, Kerner, Salazer  
ABSTAIN: Jensen, Schulstad

Council Member Schulstad stated that, in an effort to foster transparency, his abstention in the aforementioned motion was due to a conflict, which led to litigation.

### **R# 1-16 Appointment of Borough Officials**

Resolution Offered by Council Member Gray  
Seconded by Council Member Salazer

Council Member Kerner requested that two appointments in this resolution be removed for separate consideration: Borough Administrator, Les Shenkler and Fire Prevention Officer, Rich Silvia. She further stated that this resolution reflects several tenured employees and contracted employees, which may not be accurate. It was determined that all tenured positions be removed from this resolution and only Borough Administrator Shenkler be considered for separate consideration.

**Roll Call Vote: AYES, Unanimous**

### **R# 1-16A Appointment of Borough Administrator Leslie M. Shenkler**

Resolution Offered by Council Member Gray  
Seconded by Council Member Acaster

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

### **RESOLUTION PACKAGE**

Mayor Kurpis stated that, if any Council wants to remove any of the following resolutions for separate consideration, they should address this at this time.

Council Member Salazer requested that the Authorization of Interlocal Service Agreement for a Licensed Sewer Operator with Northwest Bergen Utilities Authority be removed for separate consideration.

Council Member Jensen requested that the Approving of the Borough's Accounting Policies be removed as he has not been given a copy of same.

Council Member Kerner requested that the Civility Resolution be removed for separate consideration and also requested that the Borough Attorney, the Risk Manager and the Planning Board Attorney be removed as no contracts were provided for review.

Additionally, the authorization for the carry-over of contracts shall indicate *for a period of 30 days or until such time as 2016 contracts are executed, whichever is sooner.*

Council Member Acaster asked about the Approving of an Interlocal Agreement with Ridgewood regarding Municipal Court Video Conferencing. This was explained at this time.

Council Member Kerner stated that she has circulated an alternate civility policy for the Council's review and discussion. She further stated that the original policy did not best meet the objectives of the Mayor and Council. She outlined areas that require change, stressing that these changes would enhance the efficiency of the Mayor and Council's responsibility. She proposed adopting this alternate civility policy.

Council Member Gray outlined the alternate policy presented by Council Member Kerner and stated that it dilutes a principle based approach, which should be the foundation of this policy; some core elements are not included. He explained this in detail at this time.

Council Member Schulstad stated that he is in favor of Council Member Kerner's version of the policy, as it includes a candidate civility aspect to the policy. He further stated that political campaigns have gotten completely out of control and this must be stopped. He cited other examples and stated that this should not continue to be addressed in public.

Council Member Jensen stated that this policy is non-binding, but rather offers suggestions to the Mayor and Council on conducting meetings and campaigns in a civil manner.

Council Member Gray stated that the intended audience should be to the residents of the Borough of Saddle River; a pledge to keep their best interests in mind, while working together in a civil fashion.

Council Member Salazer stated that she feels that the alternate policy is procedural but feels that the By-Laws could be utilized to include civility issues. Council Member Acaster was in agreement with Council Member Salazer's comments; he suggested that this be tabled at this time.

Mayor Kurpis stated that this is an extremely important issue and Council Members owe it to each other as well as the residents of Saddle River to come to a unanimous policy that can be worked with moving forward.

A motion to **table** the Civility Resolution was offered by Council Member Gray  
Seconded by Council Member Schulstad

**Roll Call Vote:** AYES, Unanimous

**CONSENT AGENDA- Open to public for these items only.**

All Resolutions listed hereunder will be enacted in one motion. Any Council Member may request that an item be removed for separate consideration.

Resolution Offered by Council Member Kerner  
Seconded by Council Member Jensen

**Roll Call Vote:** AYES, Unanimous

- R# 02-16** Designation of Depositories
- R# 03-16** Designation of Official Newspapers
- R# 04-16** Approving Council Meeting Dates
- R# 05-16** Establishing Delinquent Tax Rates

- R# 06-16** Approving Temporary Budget
- R# 07-06** Authorizing Payment of Certain Bills Prior to Council Approval
- R# 08-16** Authorizing Signing of Professional Contracts
- R# 09-16** Authorization to Enter Into Contracts Awarded by the State & County
- R# 10-16** Approving the Filing of Appeals and Settlements
- R# 11-16** Authorizing the Carry-Over of Contracts
- R# 12-16** Appointing Certifying Agent
- R# 13-16** Approving the Appointment of Professionals
- R# 14-16** Appointing Professional Insurance Associates Inc., Health Benefits Consult.
- R# 15-16** Appointing Professional Insurance Associates Inc., Risk Managers
- R# 16-16** Appointing Saddle River Municipal Alliance
- R# 17-16** Cooperative Agreement with the County of Bergen
- R# 18-16** Appointment of Saddle River Fire Department Officers
- R# 19-16** Inter-local Ridgewood Authorizing Municipal Court Video Conferencing
- R# 20-16** Authorizing Action Data Services for payment of payroll
- R# 21-16** Inter-local County of Bergen Police Mutual Aid
- R# 22-16** Inter-local Paramus Contract 911 Emergency Telephone Services
- R #23-16** Northwest Bergen Regional Local Public Health Service Agreement
- R# 24-16** Authorization Tyco Animal Control Services
- R# 25-16** Northwest Bergen Regional Environmental Health Service Specialist Services
- R# 26-16** Valley Hospital Agreement – 2016

**Resolution to Authorizing Inter-local Service Agreement for a Licensed Sewer Operator with Northwest Bergen Utilities**

**R# 27-16** Offered by Council Member Gray

Seconded by Council Member Acaster

**Roll Call Vote: AYES:** Acaster, Gray, Kerner, Jensen, Schulstad

**ABSTAIN:** Salazer

Mayor Kurpis asked the Council for any general comments at this time. Regarding the appointment of a Council President, Council Member Kerner asked what changed as she was under the impression that Council Member Jensen would be a neutral party as Council President.

**OPEN TO THE PUBLIC:**

Marilyn Goldfisher, 224 West Saddle River Road stated she was not in agreement with many of the appointments. She further stated that she felt that both Council Member Jensen and Kerner are the best candidates for Council President.

Leonidas Samouilidis, 4 Lookout Drive stated he was hopeful that, with new public officials representing Saddle River, that the three, three divide might be eliminated. He further stated it has not been eliminated and appealed to Mayor Kurpis to deal with this important issue.

Alexandra Samouilidis, 4 Lookout Drive stated that the year is starting out on the wrong foot. She is not in favor of the division on the Council as well as the personal attacks against each other. She further stated that the Council President should be considered by seniority as well as the individual who is more locally available; she feels that Council Member Kerner is the best choice.

### **BENEDICTION**

Pastor Wesley Smith, Zion Evangelical Lutheran Church stated that we are all children of God and he bestowed peace and good will on all the people of Saddle River.

### **RESOLUTION FOR CLOSED SESSION**

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

**Resolution # 28-16** Offered by Council Member Jensen  
Second by Council Member Gray  
Roll Call Vote: AYES: Unanimous

A motion to adjourn the Closed Session and return to the regular meeting was offered by Council Member Gray. Seconded by Council Member Schulstad.  
Voice Vote: All AYES.

A motion to request that Borough Attorney Huntington identify coverage counsel was offered by Council Member Jensen. Seconded by Council Member Acaster.  
Voice Vote: All AYES.

ADJOURNMENT: A motion to adjourn was made and seconded.

Respectfully Submitted,

Marie Elena Macari  
Borough Clerk