

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
October 17, 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 January 4, 2016." Also on the official Borough website and E-notify.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE

AWARDS AND CEREMONIES:

RESOLUTION FOR CLOSED SESSION

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

Council Member Schulstad stated that it may be prudent to hold the Executive Session after the Open to the Public so the public will not have to wait. It was decided that the Mayor and Council would go into Executive Session at this time.

Resolution # 178-16 Offered by Council President Jensen
Second by Council Member Kerner

Roll Call Vote: AYES: Unanimous

OPEN TO THE PUBLIC: (Saddle River Residents Only)

Paul Marcus, 6 Bayberry Drive commended the Mayor and Council for their hard work and making Saddle River a wonderful place to live.

Henry Senger, 69 West Saddle River asked about the COAH plan regarding the Zion Lutheran Church property. Council President Jensen stated that this is now a court matter and cannot be discussed publicly. He further stated that the Affordable Housing matter is part of the Borough's Master Plan, which is presented for public comment. The existing plan is to try to use the Zion property but negotiations are still pending and the Mayor and Council are not hopeful. As there is a deadline, it will be likely that a filing will take place without an alternative property. The Planning Board will meet on November 1, 2016 to address the readjustment of the Affordable Housing plan.

Dean Cerf, DVM, Lookout Drive read a letter that he sent to Mayor Kurpis regarding a viable non-lethal program for deer management control. He further addressed discussions he had with Council Member Schulstad regarding this matter. He outlined his non-lethal plan in detail at this time, which he intends to fund and administer. Dr. Cerf stated that he did not feel that Council Member Schulstad was the appropriate person to be the Council liaison for the Wildlife Management Committee.

Council Member Schulstad asked when this letter was sent and Dr. Cerf stated that it had been sent two days prior. Council Member Schulstad stated that he has been asking for the Wildlife Committee to reconvene in order to evaluate this plan and that has not happened to date.

Council Member Kerner stated that there will be a referendum on the ballot regarding lethal and non-lethal deer control and she asked Dr. Cerf if he could wait until after Election Day in order to obtain the public's opinion.

Council President Jensen stated that he would like to review Dr. Cerf's plan prior to endorsing it and the plan has not been presented to date.

Alexandra Samouilidis, 4 Lookout Drive stated that she feels that the Wildlife Management program needs to keep a lethal means of deer control open for discussion as the deer are a major problem in Saddle River.

WORK SESSION:

MAYOR KURPIS:

Emergency Plan: Mayor Kurpis stated that he is going to be working with Captain Cosgriff in order to formulate a more comprehensive emergency plan in the event of an extended event.

Consolidation of Wildlife Management Committee and Environmental Commission Council Liaison: Mayor Kurpis stated that Council Member Schulstad will be the Environmental Commission liaison, effective immediately.

Mayor/Realtor Summit – October 21, 2016: Mayor Kurpis stated that he intends to hold this meeting with all of the realtors in Saddle River on October 21, 2016 in order to get an overview of home buying trends in Saddle River. He further stated that he wants to obtain this information in order to form a Public Relations Committee in January of 2017.

Potential Water Leasing Update: Mayor Kurpis asked Borough Engineer Spence to address this matter at this time. Mr. Spence stated that he has been communicating with Suez Water regarding this matter.

Northwest Bergen Mayor's Meeting – Permits: Mayor Kurpis attended this meeting and stated that there is a concern about amending current rules regarding minor permitting. This could negatively effect revenue and more information must be obtained.

NJ League of Municipalities Meeting: Mayor Kurpis stated that he attended this meeting; assistance to local businesses was addressed as well as help that is provided by the Red Cross.

Mayor's Annual Community Service Award: Mayor Kurpis stated that the Borough has many dedicated volunteers that are not recognized for their service and this award will show appreciation from the Borough to a volunteer each year. This resolution is part of the Consent Agenda.

Mayor's Wellness Program – Conversations of a Lifetime: Mayor Kurpis stated that this program is designed to foster and promote dialogue about important end of life decisions. He further stated that he would like to appoint resident Ruth Dugan as the liaison to this program. This resolution is part of the Consent Agenda.

Quality of Life Ordinances: Mayor Kurpis stated that he would like the Ordinance Review Committee to review a No Knocks Policy, which prohibits solicitation, the Noise Policy and an Airbnb Policy.

Victory Garden Update: Mayor Kurpis stated that this garden, behind the Marker property, had a successful year, donating fresh produce to the Mahwah food bank.

November Work Session: Mayor Kurpis stated that the next Work Session Meeting of the Mayor and Council will be held on November 2, 2016 at 6:00 pm. This resolution is part of the Consent Agenda.

BOROUGH ADMINISTRATOR

Borough Website Update: Administrator Shenkler stated that the contract with GovOffice must be revised.

Council Member Schulstad asked about the installation of the new boom. It was decided that this would be addressed in the Engineering Report.

ENGINEERING REPORT: Borough Engineer Martin Spence gave the Engineering Report as follows:

- **DPW Salt Shed:** This project is under construction; the walls and roof are installed and framing is complete.
- **Streetscape III & IV:** An executive order issued by the State to stop all DPT funded project has been lifted and work will resume on these projects shortly.
- **Barnstable Boom:** The boom has been delivered and proposals have been received in order to install the boom. Administrator Shenkler is currently evaluating the three proposals and a decision will be made shortly.
- **Borough Hall Generator Replacement:** Borough Engineer Spence stated that he has met with a representative from Gentech in order to start discussions about replacing the generator servicing the Borough Hall.
- **EMS Flooring:** The EMS floor must be modified in order to resolve the issue of water puddling. The slab will be removed and additional drainage will be added to rectify this problem.
- **Saddle River Grand Water Issue:** Borough Engineer Spence stated that Suez Water has done testing on eight fire hydrant locations in order to compile a report about water pressure at this location.

Council Member Gray asked Borough Engineer Spence to explain the boom replacement project in detail at this time. Council Member Schulstad asked about the companies that presented proposals to install the boom and Administrator Shenkler addressed this in detail. Council Member Schulstad asked why the boom manufacturer would not install the boom and Borough Engineer Spence stated that it is not necessary and that all three contractors submitting proposals are capable to provide the footings and the DPW can complete the installation in the water. The installation of the boom and the removal of the old boom was discussed. Borough Engineer Spence stated that the plan is to leave the existing boom and evaluate the diversion of debris. If both booms do not work efficiently in tandem, the existing boom will be removed. Council President Jensen asked about the placement of the bollard and Borough Engineer Spence explained this in detail.

Council Member Schulstad asked Administrator Shenkler to explain to the public that the Borough will be re-negotiating the contract with GovOffice regarding the website redesign.

BOROUGH ATTORNEY:

MUNICIPAL CLERK: Municipal Clerk Convertini stated that the last day to register to vote in the General Election is October 18, 2016 and the last day to apply for a Vote By Mail Ballot is November 1, 2016.

INTRODUCTION OF ORDINANCES:

ADOPTION OF ORDINANCE(S):

Ordinance No. 16-923-16

An Ordinance to Amend and Supplement Chapter 105 "Fences"

Resolution # 179-16 was offered by Council Member Schulstad
Seconded by Council Member Kerner

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.

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 #180-16 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 Kerner

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

- **Amend Salary Resolution**
- **Resolution to Appoint Saddle River Liaison to Bergen County Conversation of a Lifetime**
- **Authorization of Salary Adjustment for Linda Canavan**
- **Consolidation of Wildlife Mgmt. Comm. & Environmental Comm. Liaison**
- **Retain Search Firm for Borough Administrator**

Explanation of Consent Agenda Items

A. Approval of Minutes:	Work Session Meeting:	September 8, 2016
B. Resolutions:	Regular M&C Meeting:	September 19, 2016
	Executive Session:	September 19, 2016

- R# 181-16 Authorize Raffle – Rebuilding Together North Jersey**
- R# 182-16 Authorization to Solicit Quotes for Revaluation Services**
- R# 183-16 Resolution to Authorize Mayor’s Annual Community Service Award**
- R# 184-16 Authorization of Tax Appeal Policy for Best Practices Inventory**
- R# 185-16 Authorize November Work Session Meeting – November 2, 2016 6:00pm**
- R# 186-16 Approving Amended Agreement for Michael Mariniello**
- R# 187-16 Approving Amended Agreement for Leslie Shenkler**
- R# 188-16 Authorizing Contact Person for Financial Consultation Services**

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:

Roll Call Vote: AYES, Unanimous

Approval of Executive Session Minutes for September 8, 2016 (Revised)

A motion was offered by Council President Jensen
Seconded by Council Member Schulstad

Roll Call Vote: AYES, Unanimous

Appoint a Liaison to Conversation of a Lifetime – Ruth Dugan

Resolution #189-16 Offered by Council President Jensen
Seconded by Council Schulstad

Roll Call Vote: AYES, Unanimous

Appointment of Council Member Schulstad as Liaison to Environmental Commission

Resolution #190-16 Offered by Council President Jensen
Seconded by Council Member Kerner

Roll Call Vote: AYES, Unanimous

COMMITTEE & COUNCIL MEMBER REPORTS

Board of Health: Council Member Salazer gave the report for September 2016.

Landmarks Committee: Council Member Salazer gave the report for September 2016. Council Member Kerner asked about the repairs at the Bishop House and this was addressed in detail by Administrator Shenkler. The re-establishment of the Bishop House Foundation was addressed in order to determine if they would be eligible for historic grants. Mayor Kurpis asked about renting out the Bishop House for private events and this was discussed.

Bishop House Committee: Council Member Salazer continued to address the repairs at the Bishop House at this time.

COAH: Council President Jensen stated that the Borough is currently working on developing a new plan in order to present to the court.

Planning Board: There was no meeting in September 2016.

Saddle River Museum Committee: Council Member Acaster stated that work is continuing on the display cases and the lighting for the Saddle River Museum.

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

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

Environmental Committee: Council Member Gray gave the report for September 2016, highlighting their focus on dead trees, road side appearance and erosion control throughout the Borough. Recycling bins were also addressed in order to increase recycling in Saddle River. Mayor Kurpis stressed the importance of replacing shade trees when hazardous or dead trees are removed.

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

Ordinance Review Committee: Council Member Schulstad stated that the next meeting will be on November 4, 2016. He further stated that he would like Attorney Huntington to look into the legal ramifications of a No Knock Policy, the Noise Policy and the Airbnb Policy.

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

Wildlife Management: Council Member Schulstad reminded the public to read the referendum question carefully on Election Day.

Information and Transparency Committee: Council Member Schulstad addressed the redesign of the Borough website, focusing on the Site Map.

Board of Education: Council Member Schulstad gave the report for August and September 2016. He addressed a letter written by Board of Education President Henry Senger regarding COAH locations as well as the proposed cupola for the Wandell School.

Department of Public Safety:

Fire Report: Council Member Acaster gave the report for September 2016. He further stated that the Pancake Breakfast and Open House, held on October 15, 2016 was a success, with the new rescue truck on display for the public to view. Council Member Acaster explained the amenities of the rescue truck in detail at this time.

Police Report: Council Member Gray gave the report for September 2016, stressing that there was a significant amount of car accidents this month. He further stated that residents must stay vigilant and call the Police Department if anything suspicious is witnessed.

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

Finance Report: Council Member Kerner stated that the Bond Anticipation Note (BAN) offering went out on October 14, 2016 and it is a one year note in the amount of \$1,730,621 with an effective interest rate of 1.2637%, higher than our prior BANS. Roosevelt and Cross was the winning bidder. Council Member Kerner addressed the details of the Finance Committee, stating that they will begin working on the 2017 Budgeting Process. These meetings are open to the public. A bond offering, a revaluation and a paperless purchase order initiative are all projects currently being focused on and this was discussed in detail at this time.

Council Member Schulstad stated that he would like to go out to bid on the revaluation process.

Mayor Kurpis asked Council Member Kerner if she intends to update her three and five year surplus projections and she stated that this would be better suited to the new finance chair person or the Acting CFO, Susan Hodgins.

Council President Jensen stated that he feels that the Acting CFO should attend Council meetings in the event that finance questions arise. Council Member Kerner stated that it would also be beneficial for her to attend Work Session Meetings.

OPEN TO THE PUBLIC:

Marilyn Goldfischer, 124 West Saddle River Road stated that she is not in favor of leasing Borough water. She addressed road side appearance; she inquired about the total cost of the EMS building. Council Member Gray addressed this matter. Ms. Goldfischer addressed the boom and the cupola in detail.

Patty Nazzaro, 3 Westwind Court stated that she is not in favor of leasing Borough Water.

Henry Senger, 60 West Saddle River Road stated that he is speaking as a resident, not the Board of Education President. He inquired about the Bishop House receiving donations as a 501 C-3. Council President Jensen stated that the Borough owns the building. Council Member Gray explained the 501 C-3 status in detail at this time.

UNFINISHED BUSINESS:

NEW BUSINESS:

Council Member Acaster addressed the issue of transparency as it pertains to the Affordable Housing matter. He further stated that he would like the Mayor and Council to consider having a member of the Wandell Board of Education present, when appropriate, at any meetings regarding Affordable Housing that involve locations within 1000 feet of Wandell School. Council Member Kerner stated that caution must be taken when discussing Affordable Housing matters. Mayor Kurpis stated that the Mayor and Council is committed to keeping the Affordable Housing matter as transparent as possible, within legal confines.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 191-16 Offered by Council President Jensen
Seconded by Council Member Gray
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 SALARY ADJUSTMENT FOR LINDA CANAVAN

Resolution #192-16 Offered by Council President Jensen
Seconded by Council Member Gray
Roll Call Vote: AYES: Acaster, Gray, Jensen Salazer
NAY: Kerner, Schulstad

AMEND SALARY RESOLUTION # 156-16

Resolution # 193-16 Offered by Council President Jensen
Seconded by Council Member Gray
Roll Call Vote: AYES: Acaster, Gray, Jensen Salazer
NAY: Kerner, Schulstad

RESOLUTION TO RETAIN SEARCH FIRM FOR FULL TIME BOROUGH ADMINISTRATOR

Resolution # 194-16 Offered by Council President Jensen
Seconded by Council Member Kerner
Roll Call Vote: AYES: Unanimous

ADJOURNMENT: A motion to adjourn was made and seconded.

Respectfully submitted,

Joy C. Convertini
Municipal Clerk