

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD OCTOBER 15, 2012**

PRESENT: Mayor Raia, Council President Walenczyk, Council Members: Boardman, Mastriano, Murray, Mutter, Toomey, Borough Clerk Macari, Administrator Cuccia, Attorney Bill Bailey

ABSENT:

PRESIDING: Mayor Raia called the meeting to order at 7:15 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 a notice thereof to the Ridgewood Newspapers and The Record on December 23, 2011, and also via E-Notify.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE

AWARDS AND CEREMONIES:

WORK SESSION:

MAYOR RAIA

Northwest Bergen Mayors Meeting: Mayor Raia stated that he attended this meeting on October 13, 2012 and the focus of the meeting was the standardization of fire codes. He further stated that this issue needs to be under the jurisdiction of the State in order for it to be more customized to each municipality. Mayor Raia also attended the Bergen County Mayor's meeting and encouraged Council Members to attend a meeting on October 16, 2012 at the Bergen Pac, addressing standardization. He further stated that there is a need for arbitration in the negotiation of public contracts, in order to keep the process in check.

ADMINISTRATOR CUCCIA: At this time, Administrator Cuccia asked Borough Planner Richard Preiss to review both the tree ordinance and the ordinances governing schools and places of worship; he did so in detail with a Power Point presentation.

At the conclusion of the presentation regarding schools and places of worship, Mayor Raia stated that this ordinance will protect the residents of Saddle River and gives the town a better position in being able to manage any schools and churches that wish to build in Saddle River.

Noise restrictions were addressed as it would relate to schools and places of worship and Mr. Preiss stated that this is covered in the Borough Code Ch. 146 "Noise". This ordinance will affect existing as well as new construction.

The tree preservation ordinance was also addressed with a Power Point presentation at this time. Mr. Preiss stated that the most pressing issue with the current ordinance was the number of trees a home owner was allowed to remove in a year, with no restriction in place for trees removed over a number of years. Regulations were drafted using other town's guidelines where applicable. The exemptions were outlined, which include smaller or deciduous trees, unless in the non-disturbance zone; routine maintenance is also exempt. In order to monitor tree permits, there will be the implementation of both minor and major tree permitting, depending on the scope of the work and this was explained in detail.

Mayor Raia thanked the ordinance review committee for their hard work in the process of amending both of these ordinances and is confident they will better serve the residents of Saddle River.

It was suggested that tree permits be posted in a place that is visible from the road in order to insure compliance; all were in agreement that this should be implemented. The fines for violations of tree removal requirements were also addressed.

Mr. Preiss stated that these two ordinances will be presented to the Planning Board after they are introduced, giving the public an additional opportunity to comment.

AT&T Cell Tower Relocation: Administrator Cuccia stated that he received a call from AT&T cell tower operators and they are interested in relocating the cell tower equipment, currently installed at the post office, to the cell tower behind the Police Department. He further stated that he would like to meet with them and hear their proposal and then report back to the Mayor and Council.

Proposed amendment to the Fire Department Ordinance: Administrator Cuccia stated that the Mayor and Council are in receipt of the amendment to this ordinance and asked for any feedback.

Agreements between the Borough of Ho-Ho-Kus and the Borough of Saddle River: These agreements pertain to two residents that are requesting to hook up to the sewer service in the Borough of Ho-Ho-Kus and these resolutions are part of the Consent Agenda.

Loss Control Report: Administrator Cuccia stated that the Mayor and Council are in receipt of this report from the JIF and the Borough is in compliance with all requirements at this time.

COUNCIL REPORTS:

Council Member Mastriano stated that the fall sports season is in full swing and the fields are in excellent condition.

Council Member Boardman stated that the Environmental Commission is addressing extreme silting problems in private ponds around the Borough due to the Saddle River Grand construction project. Additionally, the Commission is concerned about residents living along the Saddle River and dumping debris into the river; a letter will be sent to these residents advising them that this is prohibited.

Council President Walenczyk stated that he attended the Board of Education meeting on September 27, 2012 and he highlighted issues addressed at the meeting.

He further stated that he received a complaint from the Garden Club regarding the cleanliness of the Bishop House. He asked if the Borough has an arrangement for a cleaning service and was advised there is no such arrangement in place. It was suggested that a cleaning fee be charged when a group utilizes the Bishop House.

Council President Walenczyk stated the he approached the Valley Club regarding the annual Holiday Open House and asked if they would consider rescheduling it to coincide with the Tree Lighting; they do not wish to have their event on a Friday night, when the tree lighting is held.

He further stated that there recently was an estate sale in the Borough for three days and it caused a major traffic/safety issue. He suggested that the ordinance governing garage/estate sales be reviewed in order to insure certain restrictions are in place.

Council Member Murray stated that the budget is in good order.

MUNICIPAL CLERK: Municipal Clerk Macari stated that the last day to register to vote is October 16, 2012 for the Presidential Election.

BOROUGH ATTORNEY:

ADOPTION OF ORDINANCE(S):

ORDINANCE NO. 12-869-C

**AN ORDINANCE TO AMEND SECTION 37-6
("ESTABLISHMENT") AND SECTION 37-7 ("TERMS") OF
ARTICLE II, ENTITLED "PLANNING BOARD", OF THE
BOROUGH CODE**

Resolution# 122-12

Introduced by Council President Walenczyk
Second by Council Member Mutter

Motion to Open to the Public by Council Member Toomey.
Second by Council Member Mastriano

OPEN TO THE PUBLIC:

Corrine Kerner, 229 West Saddle River Road, Saddle River, NJ asked about specific language in the ordinance which has been removed in order to comply with State law regarding the inclusion of the advice and consent of the Mayor and Council on the Planning Board level. Attorney Bailey addressed this at this time.

Motion to Close to the Public by Council President Walenczyk
Second by Council Member Toomey

Roll Call Vote: AYES, Unanimous

ORDINANCE NO. 12-870-M

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$370,000 FOR THE ACQUISITION OF REAL PROPERTY IN, BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Resolution# 123-12

Introduced by Council President Walenczyk
Second by Council Member Boardman

Motion to Open to the Public by Council Member Toomey
Second by Council Member Toomey

OPEN TO THE PUBLIC:

Corrine Kerner, 229 West Saddle River Rd., Saddle River, NJ asked about this ordinance as she was unclear what it was referring to. Attorney Bailey stated that this case involves pending litigation and cannot be addressed at this time. Mayor Raia stated that, once a determination has been reached the public will be made fully aware of this issue.

Motion to Close to the Public by Council Member Boardman
Second by Council Member Mastriano

Roll Call Vote: AYES, Unanimous

INTRODUCTION OF ORDINANCE(S):

ORDINANCE NO. 12-871-C

ORDINANCE TO AMEND CHAPTER 210, ZONING, AS SET FORTH IN THE CODE OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY

Resolution # 124-12 Offered by Council Member Toomey
Seconded by Council President Walenczyk
Roll Call Vote: AYES, Unanimous

ORDINANCE NO. 12-872-C

ORDINANCE TO AMEND CERTAIN PORTIONS OF ARTICLES II, III AND IV OF CHAPTER 210 OF THE ZONING CODE OF THE BOROUGH OF SADDLE RIVER

Resolution # 125-12 Offered by Council Member Toomey
Seconded by Council President Walenczyk
Roll Call Vote: AYES, Unanimous

ORDINANCE NO. 12-873-C

AN ORDINANCE TO AMEND CHAPTER 202, TREE PRESERVATION, AS SET FORTH IN THE CODE OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY

Resolution # 126-12 Offered by Council Member Toomey
Seconded by Council Member Boardman
Roll Call Vote: AYES, Unanimous

APPROVAL OF BILLS

Resolution # 127-12 Offered Council Member Murray
Seconded by Council Member Mutter
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 abstention with respect to the minutes of meetings at which such Council Member was not present.

Resolution Offered by Council President Walenczyk Second by Council Member Boardman

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:

Patty Nazzaro, 3 Westwind Court, Saddle River, NJ thanked the Mayor and Council for their approval of a resolution authorizing the submission of an application for the Municipal Alliance Grant.

Roll Call Vote: AYES, Unanimous

Explanation of Consent Agenda Items

At this time, Administrator Cuccia briefly explained the resolutions on the Consent Agenda.

A. Approval of Minutes: Regular Meeting of 9/17/12

B. Resolutions:

R# 128-12 Soil movement Jozef Tasko Blk 1201 Lot 28

R# 129-12 Authorization to enter into an Agreement with the Borough of HoHoKus and Jomon & Mary Kalarickal for sewer connection

R# 130-12 Authorization to enter into an Agreement with the Borough of Ho-Ho-Kus and James & Patricia Boyd for sewer connection, pursuant to review by Borough Engineer

R# 131-12 Refund to James & Patricia Boyd due to cancellation of water install

R# 132-12 Amending dates of newly appointed Judge

R# 133-12 Authorizing submission of application for Municipal Alliance Grant

COMMITTEE REPORTS

Finance Report: Council Member Murray gave the report for September 2012.

Fire Report: There was no report at this time.

Police Report: Council Member Mutter gave the report for September 2012.

Public Works: Council President Walenczyk gave the report for September 2012.

Parks and Recreation: Council Member Mastriano gave the report for September 2012.

Board of Health: Council Member Mutter gave the report for September 2012.

Const. & Zoning Enforcemnt. Council Member Boardman gave the report for August and September 2012.

Environmental Committee: Council Member Boardman gave the report for September 2012.

Zoning Board: Council Member Toomey gave the report for September 2012.

Landmarks Committee: There was no report at this time.

Planning Board: Council President Walenczyk gave the report for October 2012.

OPEN TO THE PUBLIC:

Patty Nazzaro, 3 Westwind Court, Saddle River, NJ stated that the Borough is in the process of trying to procure a piece of the World Trade Center to be placed at Wandell School. Additionally, she asked if a cork board could be placed at the field house in Rindlaub Park in order to post emergency numbers and game schedules. Administrator Cuccia stated that if there was an emergency at the park, the adult in charge should call 9-1-1.

UNFINISHED BUSINESS: There was nothing to report at this time.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 134-12 Offered by Council Member Mastriano
Second by Council Member Mutter
Roll Call Vote: AYES: Unanimous

A motion to adjourn the Closed Session and return to the Regular meeting of the Mayor and Council was made and seconded.

ADJOURNMENT: A motion was made and seconded to adjourn the regular meeting of the Mayor and Council.

Respectfully submitted,

Marie Elena Macari
Borough Clerk

F/Nwwp/f/min/M&C10-2012