

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD APRIL 16, 2012**

PRESENT: Mayor Raia, Council President Walencyk, Council Members: Boardman, Mastriano, Murray, Mutter, Toomey, Borough Clerk Macari, Administrator Cuccia, Attorney Russell Huntington

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.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE

AWARDS AND CEREMONIES:

Swearing in of Assistant Fire Chief Kenneth Warr Jr.: At this time, Mayor Raia performed the swearing in of Assistant Fire Chief Kenneth Warr, Jr. Additionally, he commended the Fire Department for their continued diligent and professional service in the Borough of Saddle River. Saddle River Fire Department President Jack Inserra invited the Mayor and Council to the 100th Anniversary of the Fire Department to be held on May 19, 2012 from 3:00pm to 9:00pm in Rindlaub Park.

Proclamation – At this time, Mayor Raia Proclaimed April as Alcohol Awareness Month in the Borough of Saddle River.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 65A-12 Offered by Council Member Mastriano
Second by Council President Walencyk
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.

WORK SESSION:

MAYOR RAIA

Meeting with County Executive: Mayor Raia stated that the County Executive would like to schedule a meeting shortly to meet with the Mayor and Council.

Mayor's Conference: Mayor Raia stated that he will be attending the Mayor's Conference in Atlantic City, NJ, April 25-27, 2012.

ADMINISTRATOR CUCCIA:

Borough Website: Administrator Cuccia stated that a telephone application for the Borough of Saddle River will be available shortly for smart phone users.

Concerts in the Park: Administrator Cuccia stated that he has been working with Council Member Mastriano and Bucky Pizzarelli has been booked for June 14, 2012, a steel drum band has been booked for June 28, 2012 and the final concert will be the Cameos on July 19, 2012. Jay and the Americans are available for July 12, 2012 and Administrator Cuccia asked the Mayor and Council for their approval to book them.

A motion to approve this concert series was offered by Council Member Mutter. Second by Council Member Toomey. Roll Call Vote: AYES, Unanimous

Newsletter: Administrator Cuccia stated that the spring newsletter has been mailed.

Meeting for alternative health benefits funding at DCA: Administrator Cuccia stated that the Borough has filed an application and presented a report with the DCA.

N.J.S.E.M. Electric Procurement: Administrator Cuccia stated that the Borough of Saddle River had bid on electric supply services through Sustainable Energy Meeting and explained the rates in detail. PSE&G did not meet the strike price.

Retiring Resolution: Administrator Cuccia outlined the three employees, Patricia Boublis, Basil Persaud and Mark Madara, who will be retiring shortly and the resolution is part of the Consent Agenda.

COAH Refunds: Administrator Cuccia stated that he has several COAH refunds that must be reviewed and it was decided that he would meet with Borough Attorney Huntington to address this issue.

COUNCIL REPORTS:

Council Member Mastriano stated that she is looking for a guest speaker for the Memorial Day Celebration and is continuing to arrange for the food, music, etc. Bucky Pizzarelli will be the Grand Marshall and Council Member Mastriano suggested presenting him with the key to the city on that day.

Council Member Mastriano stated that Wandell School will be laying off employees in order to meet the budget. Council Member Boardman stated that the projected deficit over the next five years is significant and certain teachers were offered the option to terminate their contracts. He further stated that he would like Administrator Cuccia to review the budget with School Board President Keith Pennell.

Mayor Raia suggested having a meeting with them with our financial people.

Council Member Mastriano also stated that the Sustainable Energy application deadline is being extended from May 31 to August 31.

Council Member Boardman stated that the Environmental Commission met on March 26, 2012 and discussed the Saddle River dredging project currently underway, the tree ordinance and Tree City Designation and the remediation of private ponds.

Council Member Murray stated that the finances are in good order.

Council Member Mutter discussed the FEMA application, which was denied and all were in agreement that the Borough should reapply. Additionally, ambulance and emergency personnel matters were discussed and Mayor Raia stated that some information should be included in the newsletter.

Council President Walenczyk asked if the Borough should consider procuring sponsors for the concert series in Rindlaub Park this summer and Council Member Mastriano suggested waiting until the Susan Zabransky Hughes run was completed on April 28, 2012.

Mayor Raia stated that he felt it was important for the entire Council to participate in this run as well and suggested using a relay formation. The donations received thus far for the run are in excess of \$200,000.

Council President Walenczyk gave the fire report at this time and stated that the department responded to a working structural fire in Upper Saddle River and got there and saved the dwelling before any other departments arrived.

BOROUGH ENGINEER: Borough Engineer Martin Spence discussed the most recent bid for the Saddle River Channel Clearing in conjunction with the County Mosquito Commission. 13 bids were received and low bidder was Con Quest Industries, LLC; the bid award resolution is part of the Consent Agenda. Mr. Spence gave a brief overview of the work at this time. He stated that the dredging will provide relief from the extreme flooding that has been plaguing the Borough after very heavy storms over the last several years.

BOROUGH ATTORNEY

MUNICIPAL CLERK: Municipal Clerk Macari asked the Mayor and Council to return their Financial Disclosure Forms which are due on April 30, 2012, and explained the new filing procedures. Additionally, nominating petitions were addressed at this time.

ADOPTION OF ORDINANCE(S):

ORDINANCE NO. 12-866-C

AN ORDINANCE TO AMEND CHAPTER 197 OF THE CODE OF THE BOROUGH OF SADDLE RIVER ENTITLED "TOWING, ROAD SERVICE AND STORAGE"

Resolution# 66-12

Introduced by Council Member Mutter
Second by Council Member Boardman

Motion to Open to the Public by Council President Walenczyk.
Second by Council Member Mutter
Roll Call Vote: AYES, Unanimous

OPEN TO THE PUBLIC: No one wished to be heard

Motion to Close to the Public by Council Member Mutter
Second by Council Member President Walenczyk
Roll Call Vote: AYES, Unanimous

INTRODUCTION OF ORDINANCE(S):

ORDINANCE NO. 12-867-C

A ZONING ORDINANCE TO DESIGNATE AN AREA WITHIN THE BOROUGH OF SADDLE RIVER AS THE "SADDLE RIVER CROSSING HISTORIC DISTRICT"

Resolution # 67-12

Introduced by Council Member Toomey
Second by Council Member Boardman
Roll Call Vote: AYES, Unanimous

APPROVAL OF BILLS

Resolution # 68-12

Introduced 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 Introduced by Council President Walenczyk
Second by Council Member Mastriano

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 3/19/12

B. Resolutions:

R# 69-12	Soil Movement Blk 1502 Lot 49 Anthony Foong
R# 70-12	Soil Movement Blk 1901 Lot 14 Frank Inserra
R# 71-12	Tax Identification Statement for Recycling
R# 72-12	Award of Bid for Channel Cleaning Project
R# 73-12	Retirements of Basil Persaud, Pat Boublis and Sgt. Mark Madara
R# 74-12	Approval of Specialized Legal Services – Lowenstein & Sandler

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY: No one wished to be heard.

COMMITTEE REPORTS

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

Fire Report: Council President Walenczyk gave the report during the Work Session.

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

Public Works: Council Member Walenczyk gave the report for March 2012.

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

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

Const. & Zoning Enforcemnt. Council Member Boardman gave the report for March 2012.

Environmental Committee: There was no report at this time.

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

Landmarks Committee: Council Member Toomey gave the report for March 2012.

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

OPEN TO THE PUBLIC:

Fred Moss, 37 Chestnut Ridge Road thanked the Mayor and Council for their diligent work for the Borough of Saddle River. He further stated that he walks regularly in Rindlaub Park and has noticed several signs prohibiting dogs in the park. He stated that a woman walks her dog there regularly and he reported it to both the DPW and the Police and he was seeking clarification if dogs are permitted if they are leashed or are they completely prohibited. Attorney Huntington stated that this issue needs to be clarified and enforced.

Marilyn Goldfisher, 124 West Saddle River Road asked about the dredging project and when sediment was going to be removed and Borough Engineer Martin Spence addressed this issue. He stated that the area she is referring to is difficult to access and it may take a bit more time than other areas of the river. Additionally, dead trees on Borough roadways were discussed and Ms. Goldfisher stated that this is a very dangerous condition which must be addressed. Mayor Raia stated that the trees to which she is referring are in the County right-of-way and Martin Spence stated that he would contact the County.

David Meeks, Waterford Gardens, 74 East Allendale Road thanked the Mayor and Council for the dredging project in the Saddle River. Additionally, Mr. Meeks distributed a site plan for the Waterford Gardens property and explained this in detail at this time. He further stated that there seems to be some confusion about ownership of particular portions of the Saddle River. He further stated that Ms. Goldfisher not only trespasses on his property but manipulates the water flow of the Saddle River, leaving the water levels on his property too low.

Borough Attorney Huntington stated that this dispute appears to be largely private in nature and does not feel that the Borough can adjudicate such matters.

Ms. Goldfisher stated that she does not trespass on Mr. Meeks' property and has taken the proper channels in the past to rectify any problems with the pond, which is in the rear of her property. Attorney Huntington reiterated that matters on this nature must be handled between residents on a private basis.

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

Respectfully submitted,

Marie Elena Macari
Borough Clerk