

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF SADDLE RIVER  
HELD NOVEMBER 12, 2012**

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

**ABSENT:**

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**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:** Mayor Raia stated that the Municipal Complex Planning Ad hoc Committee was going to give a presentation on the municipal building.

Planning Board Chairman, Bruce Meisel stated that he is the Chairman of the Municipal Complex Planning Committee and he introduced committee members at this time:

Voting Members: Nina Bernhardt, Vice Chairman of the Planning Board Member, Carroll Dowden, Zoning Board of Adjustment Member, Al Kurpis, Chairman of the Landmarks Commission, Planning Board Member, Council elect, Larry Raia, Zoning Board of Adjustment Member, Frank Merlino, resident, Non-voting members of the committee: Mayor Sam Raia, Council President Bruce Walencyk, Council Member Warren Boardman, Council Member Michael Mutter, Borough Officials: Administrator Chuck Cuccia, Borough Engineer Martin Spence.

He further stated that the committee had a wide array of expertise to include real estate development, construction, interior design, law, finance, and historical knowledge; Mr. Meisel thanked the committee for their diligent work over the last three years.

Mr. Meisel gave the public background on the genesis of this project at this time, stating that it began in 2009.

He highlighted the fact that construction pricing is now extremely competitive due to the economy and interest rates are also at an all time low. The project will be bonded out over a 20 year period, using current interest rates, which will significantly affect the cost of the project. These projects must be put out to bid, with the lowest bidder awarded the project.

Governmental changes including regionalization are on the horizon and it is important for a Borough to have a municipal facility that can accommodate this. Additionally, the current condition of the existing Borough Hall was evaluated and deemed to be almost entirely non-conforming.

The committee began by evaluating the front portion of the building which has period significance and is an architectural landmark of the downtown area. Based on this, it was decided that the current design would remain. The committee spent significant time deciding whether the rest of the building would be renovated or razed. The current building is 9000 square feet and the proposed addition is approximately 10,000, totaling 19,000 square feet.

At this time, Mr. Meisel outlined the protocol for the presentation.

Borough Planner Richard Preiss, who was not present, prepared a written report to address the building project and Mr. Meisel outlined his report at this time. He stated that the municipal building is the anchor of the downtown district which has the potential to serve a variety of civic and cultural functions. It is however, functionally outdated, inefficient and obsolete. The proximity of the school, fire and police complex, DPW and municipal building gave rise to the change in zoning as well as inclusion in the Saddle River Crossings project. He further stated that monies invested in these types of municipal improvements return higher property values within the community. The existing Georgian element of the building should be preserved with the expansion designed in a manner which replicates this architecture and pays tribute to the rich historical legacy. For all of these reasons, this project is an investment worthy of the community's support.

At this time, Steve Napolitano, SNS Architects & Planners, was introduced and gave a brief explanation of the firm. He introduced his colleague, Rob Nocella to address the architecture of the building and present the proposed plan with a Power Point presentation. He began by showing renderings of the proposed building from several angles. He stated that integrating the building into the Master Plan was important when considering the design as well as considering the needs of the interior space for employees. He reviewed the proposed schematic floor plan in detail.

Mr. Meisel addressed preliminary cost projections at this time, stating that the project should be completed for approximately \$5,500,000. This cost will be spread out over 20 years, for an annual cost of about \$440,000, which will be offset by The Saddle River Grand town home project. He further stated that there should be little of any tax increase for residents.

At this time, Dr. Kurpis outlined the responsibilities of municipal government, including the preservation of the essence of the community through zoning and ordinances, the preservation of the value of real estate, the safety of its citizens, providing and maintaining infrastructure and providing a quality education to the youth of the community. The proposed municipal complex will provide tremendous value to Saddle River through efficiency and the ability to control regionalization. It would not be beneficial for Saddle River to lose our essential services to another town due to the inability to accommodate these services due to space restrictions. He also stressed the benefit of having a shelter available in case of a disaster.

Mr. Meisel reiterated that the charge of this committee was to be prepared for the future when designing this building.

At this time, the meeting was open to the public.

Diane Luciano, 2 Kenwood Dr. & 1407 Sherbrooke Court stated that she is not in favor of Saddle River becoming a hub as it is a small quaint town. She further stated that, as an attorney, the Saddle River

municipal court is nicer and better than most in Bergen County. She does not feel that this is necessary and is not confident that taxes would not be increased in the future as a result of it.

Jennifer Rossakis, 162 Chestnut Ridge Road stated that she is the President of the Home and School Association at Wandell School. She further stated the school is in need of a tremendous amount of work and the parents in the Borough have raised a significant amount of money for the school but it is not enough. She feels if any improvements are going to be made in the Borough, it should start with Wandell. She further stated that buckets have to be used to collect rainwater during a storm as the roof has multiple leaks.

Ron Grant, 208 East Saddle River Road thanked the committee for their diligent work on this project. He further stated that he had done some computations and does not understand how the committee has estimated the price of construction at \$5,500,000. He further stated that he would like to see the school used as an emergency facility and have the improvements made for the children of the Borough. He asked why the committee did not present several plans on different scales and let the residents of the Borough have some input.

Conrad Caruso, 179 Chestnut Ridge, former Chairman of the Planning Board and Mayor for eight years. He stated that the presentation was very thorough but it has raised more questions than it has answered. He suggested that the residents submit questions to the committee in an organized fashion and be addressed in an organized, less hostile environment.

Eric Jensen, 131 Mill Road stated that he does not feel that the monies available from the Saddle River Grand project should be used for the municipal building project, but rather other items in the town and perhaps a reduction in property taxes. He further stated that he also would have liked to see alternative plans and not just the "Cadillac" of plans. Finally, he encouraged the residents to stay for the public hearing on the zoning ordinances.

George Maloof, 16 Rock Ledge Road stated that he is concerned about the regionalization of the court system and would not want to see an increase of criminals having to come into the Borough to attend court, in light of a school right across the street.

Corinne Kerner, 229 West Saddle River Road asked the committee how many employees work in the municipal building and how often does the court meet and what kind of cases are heard. She further stated that she does not believe population growth has to equal government growth and she is concerned about property taxes and regionalization. She stated that the Borough is also in the midst of many other projects which will require funding.

Patty Nazzaro, 2 Westwind Court stated that she is appreciative of all of the work the committee has done and realizes that this is a work in progress. She further stated that she is aware that the administrative offices in the municipal building are in need of more space. She also stated that the Borough will have no choice regarding regionalization of services and it is more advantageous to be the lead agency in order to have control.

Tom Fox, 16 Woodfield Lane stated that he moved from Ridgewood, NJ where a new municipal building was constructed with a projected cost of \$3,000,000 and the final cost was in excess of \$10,000,000. He further stated that he would rather have a reduction in property taxes if there is money available from the Saddle River Grand project.

Roger Sachs, 64 Twin Brooks Road stated that he feels the proposed building is too large and, in light of the size and condition of Wandell School, it will appear that the children in the Borough are not a priority to the governing body.

At this time, the Open to the Public portion of the meeting was closed.

Mr. Meisel stated that he feels the concept of regionalization needs to be clarified; at this time he explained the concept in detail, stressing that a municipality that is the lead agency has the authority to choose those municipalities with whom they will share services.

David Valency, 11 Powder Hill stated that if it is not the Borough's intention to regionalize, there is no need for a municipal building of this scope.

Committee Member Dr. Warren Boardman stated that he is struck by the negative tone of the public regarding this issue. He stressed that committee members have volunteered their time for the last three years and the purpose of this was to present the concept and discuss it, not to vote on moving forward with the project.

Diane Lucciano stated that many residents feel that they were not adequately advised of the cell tower and are fearful that this situation will be repeated with the municipal building project.

Dr. Board reiterated that a letter went out to every resident in Saddle River regarding tonight's presentation in order to avoid that situation.

Mr. Meisel stated that Wandell School will be receiving \$380,000 from the Saddle River Grand project which would fund almost \$3,500,000 in debt service and encouraged members of the school board to pursue discussions about the necessary work and repairs needed there.

Nina Bernhardt stated that the committee's initial intent was to strictly renovate but it became clear as the work progressed that it would be more efficient to replace all but the front of the building. .

Larry Raia reiterated that this project has been in the works for three years with many renditions of the building reviewed. He further stated that he is confident that the project, if it is approved, will not exceed the allocated budget.

Administrator Cuccia stated that, once the Mayor and Council authorize the project, the amount to be funded will be provided. It then goes out to bid and once bids are received, the Borough must obtain a bond anticipation note, which has a life of three years before a payment is due. There is no debt before the project commences; it is just authorization for the bond.

Steve Napolitano stated that he feels construction costs will stay competitive, and a labor and material shortage due to Hurricane Sandy will abate long before this construction would begin, if the Borough chooses to move forward.

Mr. Meisel reiterated that the Borough is not locked in; if the bids come in too high, they do not have to be accepted. He reiterated that this committee's task was to use their collective expertise to evaluate the existing municipal building, determining the least amount of size that would be necessary for the municipal building to be able to function moving forward for the next 20 years. He further stated that the Mayor and Council have a responsibility to make a decision based on what is the most advantageous for the entire community.

Mayor Raia stated that he feels the primary complaint among residents is the size of the proposed building and asked the architect to, once again, explain how the building would go from 9000 to 19,000 square feet. Mr. Nocella reiterated this and stated that if it needs to be scaled back, that could be done.

Mayor Raia reiterated that this is an information session only. He stated that the residents have to decide what they really want and if they want to become part of another community through mandatory regionalization. He stated that Saddle River demands a higher level of service, particularly with the Police Department, and he does not think it is in the best interest of the Borough to combine departments with neighboring municipalities. He further stated that he wants to be in a position to be the lead town and having the necessary municipal facility to accommodate this, is important.

At this time, this presentation was concluded.

## **WORK SESSION:**

### **MAYOR RAIJA**

**Northwest Bergen Mayors Meeting:** Mayor Raia stated that this meeting was cancelled due to Hurricane Sandy, as was the League of Municipalities Conference. He further stated that he would like to see the Borough of Saddle River devise a more efficient method of communicating with residents during a prolonged power outage. He further stated that he participated on a conference call with Governor Christie each day during the week after the storm in order to gain pertinent information on power restoration, emergency information, etc. He discussed power restoration in Saddle River, highlighting the fact that utility workers had a tremendous task before them, with countless trees down and transmission and power substations destroyed due to wind and flooding. He suggested that in the future, members of the Emergency Management team stay with utility workers to insure that they complete restoration in Saddle River prior to moving to other municipalities.

Mayor Raia stated that the Borough needs to continue to implement a hazardous tree removal program as well as make residents aware about the installation of generators.

He further stated that he is attending the Governor's conference on December 6, 2012 in Trenton and would like Council President Walenczyk to join him.

### **ADMINISTRATOR CUCCIA:**

**Office of Emergency Management Situation Report:** Administrator Cuccia distributed this report to the Mayor and Council. He further stated that, during Hurricane Sandy, the Municipal Building lost all power, including phone and internet, a Facebook page was generated from the Saddle River Emergency Management Office in order to keep residents informed. He further stated that the staff worked extremely hard during the storm and commended the Mayor for his help and input as well.

**Transfer Resolution:** Administrator Cuccia stated that this resolution is part of the Consent Agenda.

**Emergency Resolution for Storm Costs:** Administrator Cuccia stated that additional costs are now necessary due to Hurricane Sandy; much of it will be reimbursed by the Federal Government.

**Engineer Status Report:** Borough Engineer Spence discussed these issues including the Saddle River Channel Clearing project, which was suspended due to the Hurricane. They will complete the project as well as re-visiting those parts of the river impacted by the storm. The Saddle River Museum improvement project bid will be awarded and is part of the Consent Agenda. The Saddle River Grand continues on schedule with the first CO being issued.

**COUNCIL REPORTS:**

Council Member Toomey commended the Ordinance Review Committee for their diligent work on the Zoning ordinances applicable to Churches and Schools as well as Tree Preservation.

Council Member Mastriano commended all Emergency workers in Saddle River for being extremely prepared for Hurricane Sandy. She further stated that Borough officials were in constant contact with the Wandell School and classes resumed in one week.

She stated that the Bishop House did not lose power and perhaps the Borough should consider designating this property as a temporary emergency facility for use by residents in order to get warm and charge electronics during prolonged outages.

Invitations were mailed for Winterfest, to be held on November 30, 2012 which will include food, vendors, the tree lighting and a food drive.

Council Member Boardman stated that the Environmental Commission met on October 22, 2012 and addressed a letter that was sent to residents living along the Saddle River prohibiting them for dumping landscape debris into the river. Additionally, the Commission discussed the ongoing hazardous tree removal program and the effectiveness of the boom in the Saddle River. Borough Engineer Spence addressed this at this time, stating that it is extremely effective during normal water flow. If the river rises, debris gets through on the sides, making it a constant maintenance issue during heavy rains.

Council Member Murray stated that the budget is in good order, with the transfer funds on the agenda.

Council Member Mutter stated that ambulance service was arranged for both sides of the Saddle River in preparation for Hurricane Sandy. He commended the Borough for their constant email contact during the storm.

Council President Walencyk thanked Administrator Cuccia, OEM Coordinator John Bishop, the Police and Fire Department and the DPW for the fine job they did during Hurricane Sandy.

**MUNICIPAL CLERK:** Municipal Clerk Macari stated that there is an email sign-up sheet for inclusion in the E-Notify system in Saddle River.

**BOROUGH ATTORNEY:**

**ADOPTION OF ORDINANCE(S):** Mayor Raia stated that there will be a Public hearing on the following three ordinances but there will not be a vote as there has not been a recommendation from the Planning Board; their meeting was cancelled due to Hurricane Sandy.

**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**

Introduced by Council Member Toomey  
Second by Council Member Mastriano

**Motion to Open to the Public** by Council Member Toomey.  
Second by Council Member Boardman

**OPEN TO THE PUBLIC:**

Eric Jensen, 131 Mill Road, Saddle River stated that this ordinance, addressing schools and places of worship, will impact every resident and undermine residential standards. He further stated that he would like to introduce a planning expert to address this issue. At this time, Steve Lydon, Burgiss Associates, Westwood, NJ introduced himself as a professional planner. Planning Board Chairman Bruce Meisel objected to allowing Mr. Lydon to testify, as he is not a resident. He further stated that he should appear before the Planning Board when they address this ordinance.

Attorney Bailey stated that it is not a requirement to be a resident in order to participate in a public hearing. Mr. Lydon inquired about the procedure and suggested that another public hearing be conducted after the Planning Board makes its recommendations. He explained his analysis on residential properties throughout the Borough, focusing on adjacent lots that, if combined, could exceed the required six acres, per this ordinance. He further stated that he feels that permissible locations for schools and churches should be limited to East and West Saddle River Roads, E. Allendale Road and Chestnut Ridge Road, as they are main thoroughfares. He further stated that the Borough should consider implementing a conditional use in these situations. Mayor Raia thanked Mr. Lydon for his comments and ideas and asked him to speak with Borough Planner Richard Preiss about his suggestions.

Roger Sachs, 64 Twin Brooks Road questioned the motivation of this ordinance and stated that he feels that the Planning Board needs to make their recommendations before any opinions can be rendered.

**Motion to Close to the Public** by Council Member Toomey  
Second by Council Member Mastriano

**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**

Introduced by Council Member Toomey  
Second by Council President Walenczyk

**Motion to Open to the Public** by Council Member Boardman.  
Second by Council Member Toomey

**OPEN TO THE PUBLIC:**

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

**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**

Introduced by Council Member Toomey  
Second by Council President Walenczyk

**Motion to Open to the Public** by Council Member Mutter  
Second by Council President Walenczyk

**OPEN TO THE PUBLIC:**

Frida Parker, 19 Dater Lane stated that she understands the importance of removing dead and hazardous trees but on an undersized lot, a variance is required and she would like to see this ordinance offer a fair solution to all Borough residents regardless of lot size.

Rich Laiks, 153 E. Allendale Rd. stated that he would like to see the ordinance provide for the home owner to be responsible for any tree on a property that is dead or hazardous, not just within 40 feet of the principal residence.

Bob LaViano, 59 Woodcliff Lake Rd, stated that if a house is 40 feet from the property line, this will impinge on the non-control area, which must be defined in the ordinance. Additionally, the ordinance states that if a home owner wants to remove a dead tree, they are then responsible for replacing it with two new trees, which is not consistent with encouraging the removal of hazardous trees. Mr. LaViano stated that he feels it is imperative that the power companies get more involved with dealing with trees in order to avoid long outages in big storms. Mayor Raia was in agreement and asked Mr. LaViano to work as a member of the Environmental Commission to continue this charge.

Eric Jensen, 131 Mill Road stated that this ordinance is not practical and, in the wake of Hurricane Sandy, a waste of time.

Patty Nazzaro, 2 Westwind Court stated residents should be mindful of removing hazardous and dead trees but should also be encouraged to replant trees on the property to insure the bucolic nature of Saddle River.

Michael Licatta, 22 East Allendale Rd, stated that his family has been in this town since the late 1700's. He wanted to address the consequences of not enforcing Borough ordinances, specifically the non-disturb zone.

**Motion to Close to the Public** by Council Member Toomey  
Second by Council President Walencyk

**INTRODUCTION OF ORDINANCE(S):**

**ORDINANCE NO. 12-874-C**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 25, ENTITLED "FIRE DEPARTMENT", IN THE CODE OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY.**

**Resolution # 135-12** Offered Council President Walencyk  
Seconded by Council Member Mutter  
Roll Call Vote: AYES, Unanimous

**APPROVAL OF BILLS**

**Resolution # 136-12** Offered Council Member Murray  
Seconded by Council President Walencyk  
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 Murray**

### **Explanation of Consent Agenda Items**

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

### **OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:**

#### **Roll Call Vote: AYES, Unanimous**

- A. Approval of Minutes:** Regular Meeting of 10/15/12
- B. Resolutions:**

<b>R# 137-12</b>	Award of Bid – Improvements to the Saddle River Museum
<b>R# 138-12</b>	Appropriation transfers
<b>R# 139-12</b>	Cancellation and transfer payment of taxes Blk. 1602 Lot 1
<b>R# 140-12</b>	Extending 4 <sup>th</sup> Quarter 2012 tax grace period
<b>R# 141-12</b>	Authorizing P/T hire Despina Kontomanolis
<b>R# 142-12</b>	Emergency for storm costs

## **COMMITTEE REPORTS**

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

**Fire Report:** Council President Walenczyk gave the report for August 2012

**Police Report:** Council Member Mutter commended the Police Dept for their attention to the elderly during Hurricane Sandy.

**Public Works:** There was no report at this time.

**Parks and Recreation:** There was no report at this time.

**Board of Health:** There was no report at this time.

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

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

**Zoning Board:** There was no report at this time.

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

**Planning Board:** There was no report at this time.

**OPEN TO THE PUBLIC:**

Patty Nazzaro, 2 Westwind Court stated that there was a Zoning Board application on Winding Way that was denied. Additionally, she commended the Fire and Police Dept as well as the administration and the DPW for their tireless efforts in the wake of Hurricane Sandy.

Al Kurpis, 30 Werimus Brook Road stated that, in light of the recent storm, many residents wish to purchase generators and asked about the possibility of perhaps banding together and buying them at a group price. Mayor Raia stated that this could be looked into.

Bill Slayne, 57 East Allendale Road stated that the Saddle River Bank in Barnstable Court obtained approval for a 24 hour drive through and, in the interim, the bank was sold to Union Center National Bank. Mr. Slayne stated that he was concerned that a larger facility will be constructed and they would be responsible to re-submit to the Planning Board. Mayor Raia stated that he would check with the building department on the status of the property. Borough Engineer Spence stated that no permits have been issued to date and only drainage work is being done at this time.

Marilyn Goldfisher, 124 West Saddle River Road asked about the debris left from the Saddle River dredging project. She further stated that the weir was removed by the Borough in light of Hurricane Sandy in order to prevent flooding on the Waterford Gardens property. This resulted in flooding for residents downstream and suggested removing the weir located north of East Allendale Road. She further stated that the channel underneath this location floods continuously due to an excess of debris that gets caught underneath the bridge

Martin Spence, Borough Engineer addressed Ms. Goldfisher's concern stating that the channel clearing project is not fully completed and any stock piled debris will be removed upon completion. Additionally, he was not aware of any flooding downstream due to the removal of the weir in the Saddle River.

Michael Licatta, 22 East Allendale Road stated that he would like the Borough to investigate splitting the utility grid in order to avoid long term outages in the future.

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

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

Respectfully submitted,

Marie Elena Macari  
Borough Clerk

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