

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD MAY 21, 2012**

PRESENT: Mayor Raia, Council President Walenczyk, 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

At this time, Mayor Raia reminded everyone that the Memorial Day Celebration will be held at 11:00am at the Saddle River Municipal Building on May 28, 2012.

AWARDS AND CEREMONIES:

Mayor Raia commended everyone involved in the Friends of Susan Zabransky Hughes Memorial Run which was held on April 28, 2012.

Susan Zabransky, 59 Mill Glen Road, Upper Saddle River, NJ thanked everyone for their efforts in making this run, in memory of her daughter a great success. Next year's run will be held on April 27, 2013. She further stated that 753 runners participated, 120 volunteers worked the run and approximately \$260,000 was raised.

Council Member Mastriano stated that she was very touched by the community-wide effort that made this event such a great success.

Proclamation – At this time, Mayor Raia proclaimed May 20-26, 2012 **Emergency Medical Services Week in the Borough of Saddle River.**

WORK SESSION:

MAYOR RAIA

Northwest Bergen Mayor's Report: Mayor Raia stated that the 13 Mayors from the Northwest Bergen area met on May 5, 2012 to discuss those issues common to their municipalities. Shared services were the focus of this meeting and he discussed this in detail. Additionally, assistance from the County was addressed as it relates to shared services.

Mayor's Conference: Mayor Raia stated that he attended this conference in Atlantic City and the main topic was the implementation of cost saving measures for municipalities. He further stated that he attended the Legislative Meeting, where the energy receipts tax was addressed. The consolidation of towns in the state was also discussed and Mayor Raia addressed the implementation of this within police departments and schools.

Bergen County League of Municipalities: Mayor Raia stated that the Bergen County Mayors met in Hackensack to address several issues including COAH and energy receipts tax.

ADMINISTRATOR CUCCIA:

Audit Report: Administrator Cuccia stated that the Mayor and Council are in receipt of the Audit Report; all documents were in compliance with a clean opinion. Council Member Murray commended both Administrator Cuccia and Assistant CFO Maria Reda for their diligent work on the 2011 Audit.

Authorization to hire Part Time Technical Assistance: Administrator Cuccia stated that the building department is in need of additional assistance from 7:00am – 9:00am due to an increased amount of work generated by the construction of the Saddle River Grand project.

Replacement of Communications Officer: Administrator Cuccia stated that Eric Kato is relocating out of state and he would like to promote Chris Frasciello, who has been in training, as a full time communications officer.

Employment of seasonal helper/fire fighter: Administrator Cuccia stated that he would like to hire Christian Mautz for this position.

Correspondence from Joseph C. Musumeci: Administrator Cuccia stated that the Mayor and Council are in receipt of a letter from Mr. Musumeci regarding a generator on his property. The prior owner installed generators in the side yard setback and Mr. Musumeci has been issued two violations for this and he is of the opinion that he should not be held accountable for something that the prior owner installed. At this time, Mr. Musumeci distributed pertinent information and explained the situation in detail to the Mayor and Council. He further stated that he does not feel that he should be responsible for having to appear before the Zoning Board of Adjustment for a variance. Mayor Raia explained that the code has been changed regarding generators and explained this at this time. He further stated that the perhaps moving the generators would eliminate the need for a variance as he could draw the new location on an existing site plan. A variance would be needed if they were to stay in their current location.

Discussion of Easement on Blk. 1301 Lot 32: Administrator Cuccia stated that this is a request for a detention basin easement and Borough Engineer Spence explained this in detail at this time, further stating that he had no problem with this easement. All were in agreement that this easement should be permissible.

Discussion of draft regulations of schools and places of worship: Administrator Cuccia asked Council Member Toomey to address this issue; he explained that the intent is to introduce this ordinance at the June 18, 2012 meeting of the Mayor and Council. He explained that the standards in the R-1 zone for schools and churches would increase to a minimum of six acres with a 50 foot non-disturb zone. He further stated that he feels that this provides a reasonable permitted use which would provide ample space while insuring the maintenance of the bucolic nature of Saddle River.

Discussion of generators: Administrator Cuccia stated that currently residents applying for a permit to install a generator must submit a property survey no older than 10 years old. Several residents have requested to use surveys older than 10 years old and Mayor Raia cautioned that the building department must review this carefully. A current survey is not required to complete a home sale unless a buyer requests it be submitted.

Discussion of dogs in Rindlaub Park: Administrator Cuccia stated that the current ordinance reads that dogs must be on a leash when in the park, however the signage in the parks prohibits dogs completely. Mayor Raia stated that completely prohibiting dogs in the park should be considered as it is used by children for a variety of sports and it is a health issue as people often let their pets off leash and don't clean up after them. Council Member Mastriano stated that the Parks and Recreation Commission will consider this issue but the next meeting is not until September. Attorney Huntington suggested that the signs in the park be amended to mirror the current ordinance; that dogs must be on a leash and seek for stricter enforcement of this rule.

Wandell School sign: Administrator Cuccia stated that the Wandell School would like to install a digital sign to replace the current signage. A picture of the sign was distributed and discussed at this time; Administrator Cuccia stated that the sign provisions in the Borough do not allow signs of this nature. Additionally, the school is in the historic district and would have to be reviewed by the Landmarks Commission. Mayor Raia also stated that he feels these signs are a distraction and a safety hazard. Council Member Mastriano stated that this type of sign would be more efficient but would like to find a solution that would satisfy the requirements of the Landmarks Commission.

Villa Marie Claire Letter of Appreciation: Administrator Cuccia stated that the Villa Marie Claire Hospice wrote a letter of appreciation to the Borough for their help with the carbon monoxide leak, which required a total evacuation of the facility.

ENGINEERING REPORT: Borough Engineer Martin Spence gave an engineering report at this time, outlining county work on West Saddle River Road, the paving of Twin Brooks Road and the installation of a speed table, the Saddle River Museum work, the Wandell ball field, and the Saddle River dredging project. The Rindlaub field house renovation was also addressed and Borough Engineer Spence stated he is looking for direction to determine the scope of the work. The baseball field was also discussed as several coaches had requested different locations for

the pitching mound. Mayor Raia suggested that these coaches attend the next meeting of the Parks and Recreation Commission to address this issue.

COUNCIL REPORTS: Council Member Mastriano stated that the invitations were mailed for the Summer Concert Series, which will include four concerts throughout the summer in Rindlaub Park. Additionally, she stated that the Fire Department's 100th Anniversary celebration was a big success, however some residents claimed that they did not know about it and increasing public awareness in the Borough was addressed. Council Member Mastriano stated that Dr. Goldblatt will be retiring shortly and the school board is currently interviewing candidates for this position and should arrive at a decision shortly. The school is also addressing cutting back employees, due to a decrease in enrollment. The Memorial Day celebration was also addressed and Bucky Pizzarelli will be the Grand Marshall.

Council Member Boardman reported on the Environmental Commission's meeting of April 23, 2012, highlighting the Saddle River dredging, and the Commission's involvement in projects throughout the Borough that impact environmental issues. The Environmental Commission is very interested in spearheading a program to identify dead and dangerous trees throughout the Borough and Commission Member LaViano is in charge of this. Mayor Raia stated he would like the Commission to start this project on East Allendale Rd., identifying dead and/or dangerous trees and report back to the Mayor and Council on this issue. Borough Engineer Spence will be going out with Mr. LaViano in order to assist in this project, also determining who these trees belong to.

Council Member Murray cautioned that the Zoning Board of Adjustment has spent approximately 73% of their budget to date. He further stated that two fire trucks need repairs and this money has been budgeted and spent to date.

MUNICIPAL CLERK: Municipal Clerk Macari stated that letters were sent out to residents adjacent to the Historic District regarding the Saddle River Crossings. In addition, she reminded everyone that the Primary Election is on June 5, 2012.

ADOPTION 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# 74A-12

Introduced by Council Member Toomey

Second by Council Member Mastriano

Motion to Open to the Public by Council Member Toomey.

Second by Council Member Mastriano

OPEN TO THE PUBLIC:

Marilyn Goldfisher, 124 West Saddle River Road stated that the Marker property is not included in the Historic District map and asked if it was going to be included; Administrator Cuccia stated that it was not.

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

Roll Call Vote: AYES, Unanimous

INTRODUCTION OF ORDINANCE(S):

ORDINANCE NO. 12—868-C

AN ORDINANCE TO AMEND SECTION 210-10, ACCESSORY USES, AS SET FORTH IN THE CODE OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY

Resolution # 75-12

Introduced by Council Member Boardman
Second by Council President Walenczyk

Roll Call Vote: AYES, Unanimous

APPROVAL OF BILLS

Resolution # 76-12

Introduced Council Member Murray
Seconded by Council President Walenczyk

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

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

Roll Call Vote: AYES, Unanimous

A. Approval of Minutes: Regular Meeting of 4/16/12

B. Resolutions:

- R# 77-12 Award of Bid for Wandell School Ball field Improvements**
- R# 78-12 Audit**
- R# 79-12 Authorization to hire a part time Technical Assistant for the construction department**
- R# 80-12 Appointment of Christopher G. Frasciello, Communications Officer**
- R# 81-12 Seasonal appointment of Christian E. Mautz for DPW**
- R# 82-12 Adopting Personnel Policies and Procedures**
- R# 83-12 Affirmation of the Borough's Civil Rights Policy**
- R# 84-12 Authorizing off premise raffle license for Knights of Columbus drawing October 7, 2012**

COMMITTEE REPORTS

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

Fire Report: Council President Walenczyk gave the report for April 2012.

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

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

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

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

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

Environmental Committee: There was no report at this time.

Zoning Board: Council Member Toomey gave the report for April & May 2012.

Landmarks Committee: There was no report at this time.

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

OPEN TO THE PUBLIC:

Marilyn Goldfisher, 124 West Saddle River Road asked if the sign indicating the closure of West Saddle River could be amended to read "No Outlet" in order to avoid all drivers having to turn around as the road is not passable. Martin Spence stated that he would speak to the police department regarding this issue.

Ms. Goldfisher thanked the Mayor and Council for extending the time frame for permissible site plans.

She also addressed the helicopter landing that was part of the Fire Department's 100th Anniversary celebration, stating that it hovered over the pond and scared some of the children in the area. Administrator Cuccia disagreed with her account of what took place as did Council Member Boardman, adding that there was no negative impact to either the environment or any members of the public present.

Ms. Goldfisher addressed properties along the Saddle River that store debris and brush, which eventually washes down the river and blocks some of the pipes beyond Waterford Gardens which causes serious erosion issues on her property.

Attorney Huntington stated that the Borough is not permitted to enter private property to conduct routine maintenance. Ms. Goldfisher disagreed and stated that the Borough is responsible for the pond, which is fed by the Saddle River.

Patty Nazzaro, 3 Westwind Court, reminded the Mayor and Council that the DARE Graduations are May 22, 2012 for the Saddle River Day School and June 6, 2012 for Wandell School. Ms. Nazzaro also addressed emergency forms in the Borough, stressing the importance of this, especially for the elderly.

Ben Acaster, 99 West Saddle River Road stated that he was present during the landing of the helicopter during the above-referenced celebration and reiterating that it was performed with the utmost safety measures in place.

Council Member Murray commended Administrator Cuccia and Assistant CFO Maria Reda for their diligent work on the Audit.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 85-12 Offered by Council Member Mastriano
Second by Council Member Boardman
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