

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF SADDLE RIVER  
HELD SEPTEMBER 17, 2012**

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

**ABSENT:** Council Member Boardman

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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:**

**WORK SESSION:**

**MAYOR RAI A**

**Northwest Bergen Mayors Meeting:** Mayor Raia stated that he recently attended this meeting and the Commissioner of Community Affairs from the State addressed shared services and consolidations for consideration among local municipalities. He further stated that the meeting was extremely informative and he would be serving on the Resolutions Committee for the League of Municipalities.

**ADMINISTRATOR CUCCIA:**

**Tree Ordinance, Zoning: Schools and Churches:** Administrator Cuccia asked Council Member Toomey to address this issue. Council Member Toomey stated that these two ordinances are currently in the process of being drafted, with copies distributed to the Mayor and Council. He further stated that they will both be formally introduced at the October 15, 2012 meeting of the Mayor and Council. At this time, Liz Leheny, consultant with Richard Preiss, the Borough Planner, gave a Power Presentation, addressing the amendments in both ordinances.

The Tree Preservation Ordinance was addressed first; the proposed ordinance addressing properties with a single family home previously constructed. She outlined the exemptions included in the ordinance as well explaining the three part preservation system that has been proposed.

A minor as well as a major permitting system would be implemented in order to discern the scope of the tree removal on a given site and this was explained in detail. Replacement requirements were also addressed if a major permit was sought by the home owner.

Mayor Raia stated that he feels that this amendment is a very good tool in order to control tree removal, particularly in the non-disturbance zone.

Council Member Toomey stated that he would like to see a Press Release done outlining this amendment and Administrator Cuccia stated that this Power Point Presentation can be viewed on the Borough website.

At this time, Liz Leheny addressed the second Power Point presentation regarding the amendment to the ordinance governing schools and places of worship. She outlined the changes in detail, stressing that the changes need to be consistent with case law.

Council Member Toomey stated that this amendment was intended to impose reasonable size and setback constraints so places of worship or schools could be established without compromising the integrity of Saddle River's bucolic nature.

Attorney Huntington stated that it is prudent for the Borough to adopt these regulations at a time when there are no pending applications for either schools or places of worship in order to reduce any potential vulnerability to the Borough.

**John Christ, Health Department Audit:** Administrator Cuccia stated that the Mayor and Council were in receipt of the Health Department Audit and it was in good order.

**Municipal Court:** Administrator Cuccia stated that Judge Sheridan resigned as the Borough Judge and it will be necessary to seek his replacement.

**NJ State Comptroller Report/Best Practice Inventory:** Administrator Cuccia stated that the Mayor and Council are in receipt of this report and he discussed this in detail at this time. The Borough scored in the 100<sup>th</sup> percentile and will not lose any State Aid moving forward.

**Deer Issue:** Administrator Cuccia stated that residents are requesting information about deer related automobile accidents as there is a large influx of deer within the Borough. The New Jersey Division of Fish, Game and Wildlife is responsible for making decisions about inputting programs in municipalities to thin the herds, if they deem it appropriate.

**Saddle River Newsletter:** Administrator Cuccia stated that a Borough Newsletter is currently being drafted and will be mailed to all Borough residents shortly.

**Engineering Updates:** At this time, Borough Engineer Martin Spence gave an engineering update as follows: The Saddle River Grand, a town home project within the Borough, is continuing on schedule and CO's should start to be issued within the next two months. The Saddle River Museum renovation will be going out to bid shortly, with bid results presented to the Mayor and Council at the October 15, 2012 meeting. The Saddle River channel clearing project is over 50% complete, with a projected completion date to be at the end of October. The Wandell School ball field improvements are complete; paving and milling work in the Borough is underway and should be completed shortly. The Lower Cross Road bridge is fully closed and is being re-constructed with a tentative completion date in January of 2013. The tree inventory program is underway and will be ongoing in order to remove hazardous trees throughout the Borough.

Mayor Raia stated that many of the residents have opted not to install an interior sprinkler system at the Saddle River Grand town home development and he feels that this is a significant safety issue. He suggested having the Fire Marshall meet with them to reiterate the importance of these sprinkler systems, especially in a town home development where fire would spread rapidly.

### **COUNCIL REPORTS:**

Council Member Toomey stated that the ordinance review committee is continuing to meet in order to review older ordinances. He also stated that it would be prudent for the Borough to develop a concise list of historic properties in Saddle River. Owners must be contacted to see if they wish to have their properties obtain a historic designation.

Council Member Mastriano stated that the Parks and Recreation Commission met on September 12, 2012 and approved several applications for Rindlaub Park use. Wandell School is open and the new Superintendent is getting acquainted. She further stated that Wandell School wanted to replace the existing sign outside the school with a digital sign and she is in the process of investigating options for signs that have a digital capability but do not look digital.

The Borough of Saddle River reapplied to Sustainable Jersey and the application is in the process of being amended.

Council President Walenczyk stated that the Valley Club holds their holiday Open House at the Borough Hall each year and are requesting the Borough's assistance in advertising this event more widely to insure better attendance. Mayor Raia suggested that the Open House be held on the same night as the Borough tree lighting, which is well attended.

Council Member Mutter stated that the State, as part of their corrective action plan, has suggested to Saddle River that they hold an annual meeting for all residents to address health concerns and issues in order to increase awareness. Mayor Raia stated that he felt this was a good idea and perhaps could be done in conjunction with the flu shot program in the Borough.

Council Member Murray stated that the financial report 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. Mayor Raia stated that voting information should be included in the next Newsletter.

**BOROUGH ATTORNEY:**

**ADOPTION OF ORDINANCE(S):** There were none.

**INTRODUCTION 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 # 109-12**

Introduced by Council Member Walenczyk  
Second by Council Member Mastriano  
Roll Call Vote: AYES, Unanimous

**APPROVAL OF BILLS**

**Resolution # 110-12**

Offered Council Member Murray  
Second 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 Mastriano

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

**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 7/16/12

**B. Resolutions:**

- R# 111-12      Award Contract for Police Training Services pertaining to Police Department Certification to the Rodgers Group**
- R# 112-12      Authorization to sign Agreement for Renewal of Membership in the Bergen County Municipal Joint Insurance Fund**
- R# 113-12      Authorization of County Grant Documents for Acquisition of Marker Property**
- R# 114-12      Authorization Municipal Representative for Open Space Committee**
- R# 115-12      Authorization for Open Space Trust Fund for Rindlaub Park Field House Pavilion Phase II**
- R# 116-12      Authorization for Cooperative Agreement with County of Bergen 7/1/12 – June 30, 2012**
- R# 117-12      Appointing Kenneth Warr, DPW worker**
- R# 118-12      Approval of Raffle Application No. 139 Zion Evangelical Lutheran Church of Saddle River event to be held 10/20/12.**

**COMMITTEE REPORTS**

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

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

**Police Report:** Council Member Mutter gave the report for July & August 2012.

**Public Works:** Council President Walenczyk gave the report for July & August 2012.

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

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

**Const. & Zoning Enforcemnt.** There was no report at this time.

**Environmental Committee:** There was no report at this time.

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

**Landmarks Committee:** There was no report at this time.

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

**OPEN TO THE PUBLIC:**

Patty Nazzaro, 3 Westwind Court Saddle River stated that the Saddle River Municipal Alliance is hosting drug and alcohol seminars for third graders each Tuesday at the Wandell School from 8:30 – 9:15 am.

Allen Cohen, 7 Charlden Drive, Saddle River stated that he would like to see a more cooperative approach with bringing municipal water to all residents in the Borough. He further stated that residents are encouraged that the town has made the commitment to move forward on this project but residents are questioning the time line that will be imposed for its execution. He stated that he has some constructive ideas on how this project could be more efficiently executed and would be happy to share this with the Mayor and Council. Mayor Raia stated that he would like to pursue this issue.

Geoff Mulford, 16 Old Acres Road, Saddle River asked if there was an intention to mandate residents to hook up to municipal water and Mayor Raia stated that there was not.

**RESOLUTION FOR CLOSED SESSION**

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

**Resolution # 119-12** Offered by Council Member Mastriano  
Second by Council Member Toomey  
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.

**INTRODUCTION OF ORDINANCE NO. 12-870-M**

**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# 120-12** Offered by Council Member Mastriano  
Second by Council President Walenczyk  
**Roll Call Vote:** AYES, Unanimous

**RESOLUTION TO APPOINT MUNICIPAL COURT JUDGE**

**Resolution #121-12** Offered by Council Member Mutter

Second by Council Member Mutter

**Roll Call Vote:** AYES, Unanimous

**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/Nwwwp/f/min/M&C09-2012