

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD JULY 21, 2008**

PRESENT: Mayor Raia, Council President Burke, Council Members FitzPatrick, Mastriano, Re, Murray, Mutter, 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:

"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 faxing notice thereof to the Ridgewood Newspapers and The Record on January 2, 2007.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE:

AWARDS AND CERMONIES:

OPEN TO THE PUBLIC:

WORK SESSION:

Mayor Raia

Preservation Up-date: We expect that the committee work will be completed shortly and we anticipate the Program will be presented to the public sometime in September.

Light on Boroline Road:The light is now in place and it is a tremendous improvement.

Sprinkler Seminar – July 30, 2008 Mayor Raia encouraged everyone to attend this very informative meeting outlining the importance of sprinklers.

ADMINISTRATOR CUCCIA

Annual Audit: The resolution approving the annual audit is on the consent agenda.

Elden Drive Water Line: Martin discussed this in great detail.

Auction: Administrator Cuccia reported to the Council that the Borough has miscellaneous items which are no longer needed and, therefore, requested authorization to auction off these items in October.

6 Bayberry Drive Erosion: Administrator requested authorization to prepare a survey. Mr. Marcus is complaining about heavy erosion on his property. Martin Spence, Borough Engineer will take care of this.

Secaucus Civil Rights Case: Handbook for volunteers is being prepared by the JIF and will be available in early 2009 for local training.

92 East Allendale Road: Administrator Cuccia reported that the owner of this property, Christina Branard, is very interested in selling her property. The Council authorized obtaining an appraisal.

159 East Saddle River Road: He also advised that the owner of this property, Patricia Marker, would like to sell off a portion of her property to the Borough and the Council authorized obtaining an appraisal.

Municipal Building Expansion: Gus Morpurgo, Architect has drawn plans regarding the expansion of the borough hall and they will first be reviewed by Committee Members.

B-Med Safety Net Program- No Cost to the Borough: Administrator Cuccia explained that part time employees do not qualify for health benefits but the Bergen Municipal Employee Benefits has created this program for those employees. By passing this resolution which is on the consent agenda. it will permit the employees to pay premiums on an abbreviated plan.

BOROUGH CLERK:

COUNCIL REPORTS:

INTRODUCTION OF ORDINANCES:

ORDINANCE 08-819-M

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$50,000 FOR ROADWAY AND DRAINAGE IMPROVEMENTS ON DENISON DRIVE EAST 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 #91-08 Offered by Council Member Mutter
Seconded by Council Member Murray
Roll Call Vote: AYES, Unanimous

ADOPTION OF ORDINANCE(S):

ORDINANCE 08-818-C

AN ORDINANCE TO AMEND CHAPTER 183 OF THE CODE OF THE BOROUGH OF SADDLE RIVER ENTITLED SOIL RELOCATION

Resolution #92-08 Offered by Council Member FitzPatrick
Seconded by Council Member Mutter
Roll Call Vote: AYES, Unanimous

OPEN TO THE PUBLIC: No one from the public wished to be heard.

At this time, a motion to amend this ordinance to read "*The removal of more than four (4).... trees*" rather than five (5) in Paragraph J. was offered by Council Member FitzPatrick.
Seconded by Council Member Re
Roll Call Vote: AYES, Unanimous

APPROVAL OF BILLS

Resolution # 93-08 Offered by Council President Murray
Seconded by Council Member Fitzpatrick
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 by Council President Burke
Seconded by Council Member Murray
Roll Call Vote: AYES, Unanimous

Explanation of Consent Agenda Items

- A. Approval of Minutes: 6/16/08**
- B. Resolutions:**

- R# 94-08 Approval of Annual Audit**
- R# 95-08 Authorization for Tax Collector to issue estimated tax bills for the 3rd qtr**
- R# 96-08 Authorizing refunds for Overpayment of taxes**
- R# 97-08 Authorizing approval to submit a grant application with the NJDOT for Old Woods Road Drainage and Resurfacing Road Reconstruction Phase 2 Project**

- R# 98-08 Appointment of Probationary Firemen – David Brown and Connor Funsch**
- R# 99-08 Soil relocation Blk 1702 Lot 11 Rezvani, 105 Chestnut Ridge Road**
- R#100-08 Soil relocation Blk 1201 Lot 26 Botta, 28 Warewoods Road**
- R#101-08 Authorizing Above Net Communication to install telecommunications facilities in the Borough of Saddle River right aways**
- R#102-08 Authorization to sign Contract with Bergen County Open Space Trust Fund Program for Rindlaub Park Boardwalk Replacement**
- R#103-08 Authorization to enter into Snow Plow Agreement with Bergen County for the Plowing of County Roads for the years 2008 – 2010.**
- R#104-08 Authorization to participate in B-Med Safety Net Program**
- R#105-08 Water Line – 1 Charlden Drive**
- R#106-08 Approval of Raffle #131, St. Gabriel’s Church/Knight’s of Columbus October 26, 2008**
- R#106A-08 Authorization to hold an auction**

Open to the Public for Consent Agenda Items Only:

COMMITTEE REPORTS

Finance Report: Council Member Murray gave the financial report for the month of June.

Fire Report: Council Member Re gave the report for June 2008 and stated that this report is on file with the Borough Clerk. He further stated that the Saddle River Fire Department should be commended for their hard work and professionalism.

Police Report: Council President Burke stated that the report is on file with the Borough Clerk for June 2008.

Construction & Zoning Enforcement: Council President Burke gave the report for June 2008.

Public Works: Council Member Mutter gave highlights from the report for June 2008.

Planning Board: Council President Burke gave the report for June 2008.

Zoning Board: Council Member FitzPatrick gave the report for June and July 2008.

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

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

OPEN TO THE PUBLIC:

Sharon McDonald Muscarelle, 9 Warewoods Road asked the Mayor and Council if any progress had been made regarding cleaning up her neighbor’s property at 13 Warewoods Road. She further stated that she would like to see amendments to property maintenance ordinances. Mayor Raia stated that he drives by this property frequently and stated that he feels that the maintenance of the roadway has been greatly improved.

Attorney Huntington stated that the Borough is working on this problem but did stress that it is very difficult to legislate poor taste.

Joe Muscarelle, 9 Warewoods Road asked who he should speak with regarding the runoff of silt into his pond from his neighbor's property. Borough Engineer Spence stated that this neighbor is intending to install seepage pits which will rectify the problem.

In addition, Mr. Muscarelle stated that the water from the neighbor at 13 Warewoods Road property is causing a serious erosion problem and he asked how to approach this issue with the neighbor. Borough Engineer Spence stated that it is difficult to ask a neighbor to re-direct water flow but stated that he would meet Mr. Muscarelle on his property to review the situation and then send a letter to the neighbor regarding this issue.

Mayor Raia stated that the Borough landscape architect is now responsible for reviewing the site pre and post construction to insure that there is no run-off or any other situation that could compromise any surrounding properties.

UNFINISHED AND NEW BUSINESS:

Council Member FitzPatrick stated that there is a resident on Glenwood Drive that leaves several garbage cans at the base of their driveway. Administrator Cuccia stated that the Building Inspector was there and a letter was sent, to no avail. Attorney Huntington stated that it would need to be determined if it is a property maintenance issue.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 107-08 was offered by Council Member FitzPatrick
Seconded by Council Member Re
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/MINMCjuly08