

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD JUNE 16, 2008**

PRESENT: Mayor Raia, Youth Mayor Michael Black, Council President Burke, Council Members FitzPatrick, Mastriano, Re, Mutter, Borough Clerk Macari, Administrator Cuccia, & Attorney Russell Huntington

ABSENT: Council Member Murray (absent at roll call, arrived at 7:40pm)

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: Council President Burke joined Mayor Raia in presenting Mr. John May with a certificate of appointment as the Borough of Historian.

OPEN TO THE PUBLIC:

WORK SESSION

Mayor Raia

Update on the alterations to the Municipal Building: Mayor Raia stated that studies are ongoing regarding finding the most efficient way of operating at the Municipal Building. Administrator Cuccia stated that the architect, Gus Morpurgo is currently doing a cost analysis of the proposed plan.

Update on NWBM Meeting: Mayor Raia stated that the most recent meeting was cancelled.

Changes in the Code for Run Off: Mayor Raia stated that there was an article recently about the increasing problems with run-off and he has asked Borough Engineer Spence to study this. At this time, Mr. Spence outlined proposed changes in the code dealing with run-off issues to the Mayor and Council in detail. He further stated that the ordinance has not been revised since 2000.

Mayor Raia stated that language has been added to all Planning Board resolutions encouraging applicants to be very diligent in supervising construction to avoid any violations of the Zoning Ordinance.

In addition, Mayor Raia stated that he wanted to address lighting issues as he feels that many of the lighting choices in the Borough are offensive and distracting.

Discussion regarding the August 18, 2008 Council Meeting: Mayor Raia asked the Council for the feedback regarding having a meeting in August. He further stated that, should there be any pressing issues, there must be a meeting. Attorney Huntington stated that, if they opt to cancel the meeting and a pressing issue should arise, they can call a special meeting. It was determined that the meeting would remain as scheduled and it would be decided closer to the meeting date.

ADMINISTRATOR CUCCIA

Amendment to Historic District: Administrator Cuccia stated that this would be addressed in Closed Session.

Introduction of Ordinance 08-818-C Amending Chapter 183: Administrator Cuccia stated that this is regarding trees and soil movement and the Mayor and Council are in receipt of this for their review. Mayor Raia explained this Ordinance and cited examples that would apply in the Borough.

Update on June 4th meeting at Borough Hall regarding perchlorates: Borough Engineer Spence stated that this meeting was for residents of Upper Saddle River, Saddle River and Woodcliff Lake who are affected by perchlorate contamination. The meeting was informational and relevant paperwork was distributed to attendees from the DEP including Spill Compensation Claim Forms. He further explained the utilization of the POET system in these situations and discussed the current location of the plume.

Update on Warewoods Road: Administrator Cuccia stated that Building Inspector John Scialla, Martin Spence, and Attorney Huntington joined him in viewing the area and Mr. Spence spoke with the contractors currently working there and advised them to comply with the Borough code.

Attorney Huntington stated that the one of the complaints was regarding a home with scaffolding that has been up for quite some time. He further stated that there is nothing that can be done as no laws are being violated and the work that is being done on the façade is quite complicated and time consuming. Additionally, there were no other violations on Warewoods Road at this time but Mr. Spence stated that he would be reviewing the situation weekly and continues speaking with all of the contractors about being a good neighbor and adhering to necessary maintenance laws.

BOROUGH CLERK:

COUNCIL REPORTS:

Council Member FitzPatrick stated that the Memorial Day celebration on May 26, 2008 was enjoyed by all. Mayor Raia commended everyone for their hard work to make it a successful celebration.

Council Member Mastriano stated that Saddle River Night, on June 7, 2008, was very successful, well attended, and gave a brief overview of the evening. She thanked the DPW for all their hard work.

Mayor Raia stated that the lightening detector was very effective but rules need to be in place about when the park needs to be vacated in the event of a dangerous storm. He further stated that he would like rules posted in a visible place and the necessary vacating of the park be monitored by the police.

Council Member Murray stated that the budget status report is in order.

Council Member Re stated that he would like to meet with the Fire Department and the Public Safety Committee the week of June 23, 2008.

INTRODUCTION OF ORDINANCES:

ORDINANCE 08-818-C

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

Resolution #84-08 Offered by Council Member FitzPatrick
Seconded by Council Member Re
Roll Call Vote: AYES, Unanimous

ADOPTION OF ORDINANCE(S): There were none.

APPROVAL OF BILLS

Resolution # 85-08 Offered by Council President Murray
Seconded by Council President Burke
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

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

Explanation of Consent Agenda Items

- A. **Approval of Minutes: 5/19/08**
- B. **Resolutions:**

R# 86-08 Authorizing refunds for Overpayment of taxes

R# 87-08 Redeeming a tax sale certificate

R# 88-08 Soil Movement Blk. 1701 Lot 22 22 Westerly Rd.

R# 89-08 Soil Movement Blk. 1502 Lot 36 14 Denison Dr.

- C. **Approval of Raffle #130, September 20, 2008, Hackensack University Medical Ctr.**

Open to the Public for Consent Agenda Items Only:

COMMITTEE REPORTS

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

Fire Report: Council Member Re gave the report for May 2008 and stated that this report is on file with the Borough Clerk.

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

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

Public Works: Council Member Mutter gave the report for May 2008. Mayor Raia stated that he would like to conduct a survey regarding how to deal with trees damaged by storms.

Board of Health: Council Member Mutter discussed the above-referenced meeting regarding residents affected by perchlorates.

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

Zoning Board: Council Member FitzPatrick gave the report for May 2008.

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

OPEN TO THE PUBLIC:

Sharon McDonald Muscarelle, 42 Warewoods Road asked the Mayor and Council about a
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property maintenance ordinance and Administrator Cuccia stated that the Borough has one. She also asked about putting a "No Littering" sign on Fox Hedge Road and also complained about large ruts in the roadway. Administrator Cuccia stated that he would have John Scialla take a look at this area.

She further addressed Attorney Huntington and stated that the above-referenced scaffolding has been in place for five years and she feels that this is excessive. He explained again, that these laws are State laws and are very difficult to get changed. He also stated that he feels that her neighbors are currently working on the property and she disagreed, stating that she has not seen workers there in quite some time.

Joe Pera, 16 Old Farms Road stated that the Memorial Day celebration was very nice but the children who performed were difficult to hear and he suggested reviewing the microphone situation.

He further stated that we should explore joining with another town to hold our court proceedings rather than making the necessary proposed renovations.

UNFINISHED AND NEW BUSINESS:

Council Member Mastriano stated that the applications for the 2008 Open Space Fund are going to be prepared in order to replace two of the backstops at Rindlaub Park.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 90-08 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/MINMCjune08