

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD JANUARY 20, 2014**

PRESENT: Mayor Raia, Council President Toomey, Council Members: DeCrosta, Gray, Kerner, Kurpis, Toomey, Walenczyk, 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, 2013, the Borough website and also via E-Notify.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE

AWARDS AND CEREMONIES

WORK SESSION:

MAYOR RAI:

Commission Member Resume: Mayor Raia distributed a copy of Nicholas Turturro's resume and recommended that he be appointed to the Environmental Commission.

Appointment of Nicholas Turturro to the Environmental Commission

Resolution # 28-14 was offered by Council President Toomey. Seconded by Council Member Walenczyk. Roll Call Vote: AYES, Unanimous.

Residential Sprinklers: Mayor Raia stated that there is currently a bill before Governor Christie requiring the installation of sprinkler systems in all new construction of both single family and multi-family dwellings. He further stated that Saddle River has been recommending this practice on new construction for quite some time and it has been instrumental in preventing entire home loss due to fire.

ADMINISTRATOR CUCCIA:

Borough Hall Water Damage: Administrator Cuccia explained that the Tax Department experienced a flood, due to an issue with a gutter that froze. He further stated that there is a concern about mold and a remediation company is going to be addressing this shortly.

Engineering Update: At this time Mr. Spence gave the engineering update as follows:

- The Rindlaub Parking lot expansion project is underway, weather permitting. The permit application for the culvert is in the process of being completed.
- The Saddle River Grand construction is continuing, with final completion scheduled for May 2014.
- The Rindlaub Field House/Pavilion design is complete and will go out to bid this week with the bid opening on February 6, 2014. The Pavilion will be approximately 1000 square feet and will be designed to match the band shell. At this time, the Pavilion plans were displayed and explained by Mr. Spence.
- The 2014 road resurfacing program will take place in the spring of 2014, with the list generated by the Borough.
- The Streetscape project is an NJDOT funded project in the amount of \$157,000 to provide pedestrian improvements along East Allendale Road from West Saddle River Road to East Saddle River Road. The replacement of sidewalks, lighting, and landscaping will be part of this project.

Council Member Kerner asked about the status of the salt shed and Mr. Spence explained the preliminary design at this time, which includes an expansion of the shed.

Borough Code amendment ordinances for discussion only: Administrator Cuccia stated that the Mayor and Council were in receipt of a packet outlining three ordinance amendments to include a tree ordinance amendment, a zoning ordinance amendment and a sign ordinance amendment. He further stated that it will be for discussion at the February 10, 2014 meeting of the Mayor and Council.

Council Member Kerner asked that these changes be red-lined so they are more easily identifiable. Mayor Raia suggested distributing both the old and new ordinance as well as a chart indicating the differences for clarification purposes.

Cell Tower Lease Specifications: Administrator Cuccia stated that the Borough has been approached regarding an additional location. The Mayor and Council were in receipt of a plan to indicate the location as well as the specifications. These specifications will go out to bid and the successful bidder will get a ground lease and will have to construct a building which will be approved by Borough Engineer Spence. The Cell Tower Committee will be asked for their input as well. RF studies were also discussed and Mayor Raia suggested that this be conducted for WiFi as well, for safety reasons.

Council Member Kerner asked how much input the Mayor and Council had with this issue, and Attorney Huntington stated that the Council could control the appearance of the building, the structural integrity of the building, the impact on the sight, the appearance on the tower, and the magnitude and nature of the equipment installed are all of the things that would be in the Borough's control. He reiterated that, if AT&T has the ability to go from the cupola location to the tower, it would be beneficial to the Borough, should they win the bid. Providers have the right to choose a location within a municipality when there is a problem with service but Mayor Raia stated that if a tower already exists, it is easier to have additional antennas added to that tower. Council Member Walenczyk suggested that a specification be added to the bid document that would require the bid winner to send a mailing to all residents in Saddle River advising them of the scope and nature of the contracted work. It was decided that the information distributed to the Mayor and Council be presented to the Cell Tower Committee and request that they provide recommendations on this project.

COUNCIL REPORTS:

Council President Toomey distributed a list of those items that the Ordinance Review Committee intends to address in 2014 to include the Tree Preservation Ordinance. He stated that, the ordinance as currently drafted, provides significant opportunities for people who wish to remove trees on both

conforming and non-conforming lots. The Zoning Board Committee proposed several changes to be drafted into the existing ordinance to include variance extension when a permit expires, notice on hearings on appeals and renovations on a non-conforming lot. Ordinances regarding schools and churches should also be reviewed as well as adding regulations for cell towers, solar panels and wind turbines.

The historic district needs to be addressed and identified and Administrator Cuccia explained the process necessary to designate historic properties. Property owners must give their permission to have their homes designated as historic and they must then abide by specific regulations when making any modifications to the property. Mayor Raia suggested that the Landmarks Commission address this issue and report back to the Mayor and Council with recommendations.

Council President Toomey asked the Mayor and Council for recommendations on prioritizing this list and this was addressed at this time.

Council Member Kerner stated that the Planning Board held their Reorganization Meeting on January 6, 2014 and gave a brief overview of the meeting. There is a vacancy on the Planning Board and this was addressed at this time.

Council Member DeCrosta stated that he attended the Wandell School Board of Education Meeting and gave a brief overview of the meeting.

Council Member Kurpis stated that the Chairman of the Landmarks Commission would like to make a presentation to the Mayor and Council regarding the interior of the Saddle River Museum at the regular meeting on February 10, 2014.

BOROUGH ATTORNEY:

MUNICIPAL CLERK: Municipal Clerk Macari stated that the Financial Disclosure Statements will be filed online but asked that no filing should occur until further notice. Additionally, Municipal Clerk Macari gave a brief overview of the Fourth Quarter Safety Meeting, noting that the accident frequency was zero.

INTRODUCTION OF ORDINANCE(S) Clerk to read title(s) of:

ORDINANCE NO. 14-888-M

BOND ORDINANCE TO AUTHORIZE THE 2014 ROAD IMPROVEMENT PROGRAM IN BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$125,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

Resolution # 29-14 Introduced by Council Member DeCrosta
Seconded by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

ORDINANCE NO. 14-889-M

CAPITAL ORDINANCE OF THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE UNDERTAKING OF STREETScape IMPROVEMENTS ALONG THE EAST ALLENDALE ROAD CORRIDOR IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$157,491 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A STATE GRANT.

Resolution # 30-14 Introduced by Council Member DeCrosta
Seconded by Council Member Kurpis
Roll Call Vote: AYES, Unanimous

ADOPTION OF ORDINANCE(S): There were none

APPROVAL OF BILLS There were none.

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 Toomey
Seconded by Council Member Walenczyk

Explanation of Consent Agenda Items

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

Council Member Kerner made an inquiry regarding the West Bergen Mental Healthcare Program and Administrator Cuccia addressed this in detail.

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:

- A. Approval of Minutes: Regular Meeting** – 12/16/13 AYES: DeCrosta, Kurpis, Toomey, Walenczyk, ABSTAIN: Gray & Kerner
Reorganization Meeting – 1/1/14 AYES: Unanimous

B. Resolutions:

Roll Call Vote: AYES, Unanimous

R# 31-14 Annual Renewal Saddle River Municipal Alliance- 1/1/14 – 6/30/15

R# 32-14 Authorization to execute an Employee Assistance Program Contract and 2014 Student Assistance Program Contract with West Bergen Mental Healthcare

COMMITTEE REPORTS

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

Const. & Zoning Enforcemt. Council President Toomey gave the report for December 2013.

Environmental Committee: There was no report at this time.

Fire Report: Council Member Kurpis gave the report for November 2013.

Police Report: There was no report at this time.

Finance Report: There was no report at this time.

Landmarks Committee: There was no report at this time.

Public Works: Council Member DeCrosta gave the report for December 2013.

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

Planning Board: There was no report at this time. The next meeting is February 4, 2014.

Zoning Board: Council Member Toomey gave the report for December 2013 & January 2014.

OPEN TO THE PUBLIC:

Paul Marcus, 6 Bayberry Drive stated that there appears to be three abandon homes on East Saddle River Road north of the Post office as well as a significant amount of road debris in this area and feels it should be dealt with immediately. Mayor Raia stated that several alternatives should be considered, including having students and volunteers organize town-wide clean-ups regularly to address this problem. Private homes in disrepair were also discussed and Attorney Huntington stated that there are mechanisms in place to deal with these issues as well.

Mr. Marcus addressed the deer problem in Saddle River and asked the Mayor and Council to address the problem as it is very serious. Mayor Raia stated that the Environmental Commission will continue to research options but cautioned that the problem is widespread and must be dealt with on a state level.

Marilyn Goldfisher 124 West Saddle River Road asked when the garbage contract was up and she was informed that it was in June 2014. She further stated that she has an issue with the contractor taking both kitchen garbage and recycling on the same day. She also addressed trees and branches in Borough roadways and stated that this is dangerous and unsightly. Mrs. Goldfisher also commented on the boom in the Saddle River and stated that, due to it not being in the proper location, a tremendous amount of flooding and erosion has taken place. Additionally, Mrs. Goldfisher stated that she does not feel that having street sweeping services twice a year is adequate.

Irena Holiat, 85 East Saddle River Road asked about road maintenance in the Borough and Administrator Cuccia stated that the County is only responsible for re-paving and pothole repair on County Roads in the Borough. Additionally, she asked about the grants being procured for the Streetscape program in the Borough and Administrator addressed this issue in detail. She also asked for clarification regarding the cell tower relative to rental costs.

Mr. Spence addressed the boom in the Saddle River, which is owned and operated by Hekemian, the owner of Barnstable Court. The location of the boom and the debris problem along the Saddle River will be addressed by the Hekemian organization once the current construction is completed. Mayor Raia stated that he would like the DPW to monitor this situation as well.

Paul Schulstadt, 20 Eckert Farm Road congratulated Council Members Gray and Kerner on their appointments. Mr. Schulstadt asked about the field house/pavilion being used as a shelter during a lightning storm and stated that the statistics for lightning strikes are low relative to the cost to construct a shelter of this type and perhaps it should be reconsidered, with funds better utilized on alternative ideas. Mayor Raia stated that the Borough's priority must be the safety of its children. Mr. Schulstadt also asked about the Borough's spending priorities in 2014 and how the election of Council Members Gray and Kerner will effect this. Mayor Raia suggested that this be addressed in conjunction with the 2014 Budget review.

Patty Nazzaro, 3 Westwind Court stated that Parks and Recreation will be meeting four times a year. Additionally, she addressed the deer issue as well as the garbage issue previously discussed, and was in agreement that the contractor took both the recycling and garbage on the same day. She thanked the Mayor and Council for their continued support of the Municipal Alliance Program.

UNFINISHED BUSINESS:

RESOLUTION FOR CLOSED SESSION

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

Resolution # 33-14 Offered by Council President Toomey
Second by Council Member Kurpis
Roll Call Vote: AYES: Unanimous

ADJOURNMENT: A motion to adjourn was made and seconded.

Respectfully submitted,

Marie Elena Macari
Borough Clerk

