

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD DECEMBER 19, 2011**

PRESENT: Mayor Raia, Council President Mutter, Council Members: Boardman, Mastriano, Murray, 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 27, 2010.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE

AWARDS AND CEREMONIES: Fire Chief Jordan Zales presented Mayor Raia with the Fire Department flag for the Mayor and Council's continued support of the Saddle River Fire Department. Mayor Raia commended the Fire Department on their hard work and diligent response times as well; 2012 is the 100th Anniversary of the Saddle River Fire Department and will be commemorated with a gala in January.

WORK SESSION:

MAYOR RAIA

Bergen Mayor's Meeting: Mayor Raia stated that he attended this meeting and sick time reform was discussed. Administrator Cuccia stated that employees of the Borough of Saddle River, with the exception of the police, have unlimited sick days but they are not accumulated or carried over. The Police Department has been entitled to 15 sick days a year and can carry over any unused days but moving forward, this will be disallowed.

He further stated that the Mayors discussed rivers and estuaries and the problem with sewerage leaking into these rivers during heavy storms. Open Space Trust funds were discussed and Mayor Raia stated that he wants Saddle River to be afforded the same opportunities to procure these funds as other municipalities in the County.

Northwest Bergen Mayor's Meeting: Mayor Raia recently attended this meeting and many of the neighboring municipalities are renewing their PBA contracts in 2012. Consideration is being given in these towns for a second tier compensation package for new hires.

He further stated that there will be vacancies on several Boards and Committees in the Borough and he feels that it is important to give all interested residents an opportunity to participate.

ADMINISTRATOR CUCCIA

Budget Transfers: Administrator Cuccia stated that there is an additional Budget Transfer resolution in the Consent Agenda.

Local 108: Administrator Cuccia stated that the negotiations are continuing and Local 108 has requested more time to evaluate the issue.

Create a Capital Reserve: Administrator Cuccia stated that this resolution is part of the Consent Agenda and will have no impact on the budget.

COUNCIL REPORTS:

Council Member Walencyk stated that the Planning Board met on December 6, 2011 and he outlined the action taken at this meeting. Additionally, Borough Planner Richard Preiss was present and he discussed the zoning ordinance amendments that are to be adopted later in this meeting. The Planning Board's responsibility was to review the changes in the zoning ordinances and they unanimously agreed with all amendments put forth.

Mayor Raia thanked all those who worked on these zoning ordinance amendments.

Council President Mutter stated that the Fire Department grant application is being reviewed and also stated that the Board of Health had their regular meeting on December 7, 2011.

Additionally, Council President Mutter discussed the contamination of streams with sewage during heavy storms and how this is impacting some residents of Saddle River. A law suit is pending regarding this issue between Rockland County and Upper Saddle River and Mayor Raia stated that he would like to be updated on this.

Council Member Murray stated that the financial report is in good order.

Council Member Boardman gave the update on the Environmental Commission's meeting of November 28, 2011. Topics addressed were the Tree City designation for the Borough of Saddle River, an update on both the Saddle River dredging project as well as the soil remediation project on the East Saddle River Road property. Additionally, the Waterford Garden's property owners are working with the DEP in an effort to correct those issues that are currently not in compliance.

Council Member Mastriano stated that the Open Space Grant is being worked on for Rindlaub Park and there should be more information available by February 2012. Mayor Raia stated that he would like the Council to attend the Open Space Grant hearing in January to show their support for the Borough.

Council Member Toomey discussed specific aspects of the ordinance amendments slated for adoption, and also addressed principle uses including recreational and sporting.

Attorney Huntington stated that the concern for the recreational and sporting aspect of this ordinance is valid but feels that the language is sufficient.

Council Member Toomey further stated that the Landmarks Commission has reviewed the ordinances to be amended as in agreement with all of the changes.

BOROUGH ENGINEER:

At this time, Borough Engineer Spence gave an update on ongoing projects in Saddle River. The construction is continuing on Twin Brooks Rd. and it should be completed by the spring. The Saddle River dredging project bid is being drafted for review and SNS Architects has been contacted to work on modifications to the Rindlaub Field House Pavilion.

Council Member Boardman addressed the construction work on Twin Brooks and stated that he feels it would be prudent to contact all residents on the street to advise them of the milling and paving schedule in the event that they wish to install Belgium block preemptively.

MUNICIPAL CLERK:

ADOPTION OF ORDINANCE(S):

ORD. 11-856-C

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 105, ENTITLED "FENCES", IN THE CODE OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY

A motion to open a Public Hearing on Ord. 11-856-C was offered by Council Member Toomey.
Second by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

HEARING OPEN TO THE PUBLIC: Patty Nazzaro, 3 Westwind Court inquired about exposed spikes on fencing and Administrator Cuccia explained that after much consideration, the Committee opted to allow the spikes to remain.

A motion to close the Public Hearing was offered by Council Member Toomey.
Second by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

Resolution #137-11 Offered by Council Member Toomey
Seconded by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

ORD. 11-857-C

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 179, ENTITLED "SITE PLAN REVIEW", IN THE CODE OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY

A motion to open a Public Hearing on Ord. 11-857-C was offered by Council Member Toomey.
Second by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

HEARING OPEN TO THE PUBLIC: No one from the public wished to be heard on this ordinance.

A motion to close the Public Hearing was offered by Council Member Toomey.
Second by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

Resolution # 138-11 Offered by Council Member Toomey
Seconded by Council Member Boardman
Roll Call Vote: AYES: Unanimous

ORD. 11-858-C

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 210, ENTITLED "ZONING", IN THE CODE OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY

A motion to open the Public Hearing on Ord. 11-858-C was offered by Council Member Toomey.
Second by Council Member Boardman
Roll Call Vote: AYES, Unanimous

HEARING OPEN TO THE PUBLIC: No one from the public wished to be heard on this ordinance.

A motion to close the Public Hearing was offered by Council President Mutter
Second by Council Member Mastriano
Roll Call Vote: AYES, Unanimous

Resolution # 139-11 Offered by Council Member Toomey
Seconded by Council Member Boardman
Roll Call Vote: AYES: Unanimous

ORDINANCE NO. 11-859-C

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 125,
ENTITLED "HISTORIC PRESERVATION", IN THE CODE OF THE
BOROUGH OF SADDLE RIVER, NEW JERSEY**

A motion to open a Public Hearing on Ord. 11-859-C was offered by Council Member Toomey.
Second by Council President Mutter
Roll Call Vote: AYES, Unanimous

HEARING OPEN TO THE PUBLIC: No one from the public wished to be heard on this ordinance.

A motion to close the Public Hearing was offered by Council President Mutter
Second by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

Resolution # 140-11 Offered by Council Member Toomey
Seconded by Council Member Boardman
Roll Call Vote: AYES: Unanimous

ORDINANCE NO. 11-860-C

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 210,
ENTITLED "ZONING", IN THE CODE OF THE BOROUGH OF SADDLE
RIVER, NEW JERSEY**

A motion to open a Public Hearing on Ord. 11-860-C was offered by Council Member Toomey.
Second by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

HEARING OPEN TO THE PUBLIC: Patty Nazzaro asked about recreation and permitted uses in this ordinance and wanted to make the Council aware that there are some permitted uses, such as Huka Bars and shops that would be considered as such.

A motion to close the Public Hearing was offered by Council President Mutter
Second by Council Member Mastriano
Roll Call Vote: AYES, Unanimous

Resolution# 141-11 Offered by Council Member Toomey
Seconded by Council Member Boardman
Roll Call Vote: AYES: Unanimous

Attorney Huntington stated that all five of the above-referenced ordinances were favorably recommended to the Mayor and Council by the Planning Board and are consistent with the Master Plan, as required by law.

INTRODUCTION OF ORDINANCE(S): There were none.

APPROVAL OF BILLS

Resolution # 142-11 Offered by Council Member Murray
Seconded by Council President 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 Mutter
Seconded by Council Member Mastriano
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 11/14/11.

B. Resolution(s)

- R# 143-11 Redemption of Tax Sale Certificates**
- R# 144-11 Tax Overpayment**
- R# 145-11 Transfer Resolution**
- R# 146-11 To Create a Capital Reserve**
- R# 147-11 Authorizing new health benefits plan and offering alternative health benefit plan to the employee health benefits base program**
- R# 148-11 Award of Bid for Construction projects**

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:

COMMITTEE REPORTS

Finance Report: Council Member Murray gave the report for November 2011.

Fire Report: Council Member Walencyk gave the report for September & October 2011.

Police Report: Council President Mutter gave the report for November 2011.

Planning Board: Council Member Walencyk gave the report for December 2011.

Public Works: Council Member Walencyk gave the report for November 2011.

Board of Health: Council President Mutter gave the report for November 2011.

Const. & Zoning Enforcemnt. Council Member Boardman gave the report for November 2011.

Zoning Board: Council Member Toomey gave the report for November & December 2011.

Landmarks Committee: There was no report at this time.

Environmental Committee: Council Boardman gave the report for November 2011.

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

OPEN TO THE PUBLIC:

David Meeks, Waterford Gardens property owner stated that he wanted to clarify some comments previously made regarding this property. The portion of the wall, which was in violation, has been removed. Additionally, he addressed the steel tanks on his property and stated that it was not a permitting issue, as previously stated, but an incorrect installation which has been corrected. The DEP inspected a compost pile on his property as well, and had no issue with it.

Mayor Raia asked Mr. Meeks about the blockage in a pipe on his property and he stated that he personally removed a huge branch from the pipe and it is now running freely.

Patty Nazzaro, Municipal Alliance, stated that Northern Highlands Regional High School reached an 87% commitment from families pledging not to serve alcohol to minors in their homes.

At this time, Ms. Nazzaro showed the Mayor and Council a banner from the Municipal Alliance regarding drug and alcohol use and asked if it could be displayed on the Police Department property to remind parents to discourage underage drinking in the Borough of Saddle River.

Council Member Mastriano thanked all who participated in the Borough Food Drive in November and stated that moving forward, the Borough should consider conducting a food drive during a

month when there are no other drives.

Mayor Raia reminded the Council to consider the appointments on the various Boards and Commissions in the Borough that will be vacant.

ADJOURNMENT: A motion was made and seconded to adjourn the regular meeting of the Mayor and Council.

Respectfully submitted,

Marie Elena Macari
Borough Clerk

Nwwwp/f/min/M&C12-2011