

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD MAY 16, 2011**

PRESENT: Council President Mutter, Council Members, Boardman, Murray, Toomey, Walencyk, Borough Clerk Macari, Administrator Cuccia, & Borough Attorney Huntington

ABSENT: Mayor Raia, Council Member Mastriano

PRESIDING: Council President Mutter 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

WORK SESSION:

COUNCIL PRESIDENT MUTTER:

Pot Hole Repair: Council President Mutter stated that Mayor Raia attended the Northwest Bergen Mayor's meeting and was given information on a new machine used for pot hole repair, which is far more effective and participating towns will have access to this machine.

ADMINISTRATOR CUCCIA

COAH: Administrator Cuccia stated that the recent COAH meeting in Trenton was cancelled.

Public Safety Ordinance for Acquisition of Equipment: Administrator Cuccia explained the items included in this ordinance which include new additional or replacement equipment and machinery, new communication and signal systems equipment, new information technology equipment and a new automotive vehicle, including original apparatus and equipment.

Report on Northwest Bergen Cooperative Pricing Program/2011 Resurfacing

Program: Administrator Cuccia stated that the Council is in receipt of the award and the resurfacing program will begin in the summer.

COUNCIL REPORTS:

Council Member Toomey stated that the committee for the Downtown Crossing is in receipt of the zoning changes from Borough Planner Richard Preiss and he discussed these changes in detail at this time. He further stated that the committee is reviewing the draft and is hopeful that it will be introduced at the June 20, 2011 meeting of the Mayor and Council.

Council Member Toomey further stated that the ordinance review committee met earlier in the month with a sub-committee formed to develop several ordinance changes in an effort to ease certain zoning restrictions. He further stated that this ordinance will be introduced at the June 20, 2011 meeting of the Mayor and Council and asked anyone with questions to contact the committee for further explanation.

Council Member Boardman stated that the Environmental Commission has not met due to scheduling conflicts.

Council Member Murray stated that the financial records are in order and discussed the Fire Department's stipend program.

Council Member Walencyk stated that he is currently working with the Bishop House Foundation and has contacted several Historical Societies in neighboring towns in order to obtain models for these committees. He is going to attend the Landmarks Commission meeting of May 25, 2011 to gain further guidance and review material he has obtained thus far. He is targeting to present a proposal to the Mayor and Council at the June 20, 2011 meeting. He further stated that he is going to ask members from the Bishop House Foundation to attend the Landmarks Meeting as well to discuss this issue.

Council President Mutter stated that a committee, the Cell Tower Task Force, has been formed in order to address the current issues with the cell tower. The committee includes residents Frank Ahearn, Rebecca Rogers, Stuart Zimmer, Environmental Commission Chairman Jerry DeCrosta, Planning Board Member Jeff Liva, School Board Representative Keith Pennell, Council Member Bruce Walencyk, Council President Michael Mutter, Administrator Chuck Cuccia, Borough Attorney Russell Huntington, Planning Board Chairman Bruce Meisel and Police Chief Tim McWilliams. He further stated that the committee met on May 11, 2011 with all in agreement that this was an issue of urgency that would be best dealt with by dividing up areas of concern and addressing them accordingly. They were divided into the following four categories:

History: This objective is to gather all the information that led to a contract with T-Mobile in order to have a good understanding of the steps that took place in the process.

Alternatives: This objective is to explore alternative technologies that may exist as well as alternative locations for the cell tower.

Education: This objective is to gain information and determine the health risks, if any, are present due to the location of the cell tower.

Communication: This objective is to determine how the information is packaged in order to disseminate it effectively. In addition, determining how the Mayor and Council can more effectively communicate with the residents of the Borough moving forward.

Small sub-groups were assigned in order to move sequentially to handle these issues in a short amount of time. An action plan and assignments were given with a follow-up meeting scheduled for May 23, 2011 at 7:30pm at the Municipal Building.

The delay of the cell tower going live is a priority and Council President Mutter stated that he was confident that this was going happen. He further stated that it is very important to obtain unbiased research as it pertains to any health risks due to this technology. A priority is also to obtain a baseline measurement of the RF waves and a vendor has been contracted to do this work, with results due prior to the meeting of May 23, 2011.

Council Member Toomey reiterated some details of the aforementioned objectives and how they will ultimately interact with each other.

Council President Mutter stated that he is very encouraged with the expediency that the sub-committees are working and is hopeful that each will be very productive.

MUNICIPAL CLERK: Municipal Clerk Macari stated that the Borough had a public auction on April 27, 2011 and collected approximately \$22,982.00. She further stated that the Saddle River Summer Concert Series has been planned and flyers will be mailed to all residents. Concert dates are June 4, 2011, June 16, 2011, July 14, 2011 and July 28, 2011 at the Band Shell in Rindlaub Park at 7:00pm.

INTRODUCTION OF ORDINANCES:

ORDINANCE NO. 11-850-M

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 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 # 66-11 Offered by Council President Mutter
Seconded by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

ADOPTION OF ORDINANCE(S): There were none.

APPROVAL OF BILLS

Resolution # 67-11 Offered by Council Member Murray
Seconded by Council member Toomey
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 Mutter
Seconded by Council Member Boardman
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 4/18/11.

B. Resolution(s)

- R# 68-11 Refund for overpayment of taxes Blk 1102 Lot 4**
- R# 69-11 Authorization for Mayor to execute Developer's Agreement between M&C of Borough of Saddle River and Saddle River Valley Bank**
- R# 70-11 Authorization to bid for various construction projects in the Borough of Saddle River**
- R# 71-11 Supporting A-3412 sharing the burden of property assessment appeal refunds**
- R# 72-11 Soil movement Blk 1808 Lot 11 Supplemental to resolution passed last month**

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:

Tracey Slayne, 57 East Allendale Road, Saddle River, NJ stated that she has concerns about the Saddle River Valley Bank's location as there is a traffic problem on East Allendale Road already. In addition, she stated that she heard a traffic study is going to be conducted but not until construction of the bank is complete and she reiterated her concerns about traffic.

Borough Engineer Martin Spence addressed this issue and explained the ingress and egress that the bank is going to utilize. Council Member Walencyk added that if the police determined that allowing a left hand turn into this property would further exacerbate the traffic problem, alternatives would have to be sought.

COMMITTEE REPORTS

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

Fire Report: There was no report at this time.

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

Planning Board: Council Member Walenczyk gave the report for May 2011.

Public Works: Council Member Walenczyk gave the report for April 2011.

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

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

Environmental Committee: There was no report at this time.

Zoning Board: Council Member Toomey gave the report for April 2011.

Landmarks Committee: Council Member Toomey gave the report for April 2011.

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

OPEN TO THE PUBLIC:

Janine DeMeritt, 18 Baldwin Road, Saddle River, NJ inquired about the testing being performed on the RF waves generated from the cell tower and if the tower was deactivated during testing. Administrator Cuccia stated that T-Mobile did not deny the request but could not adhere to the time frame so the tower was active at the time of testing. A subsequent test will be done with the tower inactive and the Borough is waiting for results from the first tests to determine timing of the second test.

Rebecca Rogers, 12 Twin Brooks Road, Saddle River, NJ asked about documentation provided by T-Mobile to inform residents when the tower will be active. Attorney Huntington stated that there is nothing in writing and the Borough does not have an updated schedule at this time. Mrs. Rogers also asked if the test results regarding the RF waves will be available to the public to alleviate health concerns. Council President Mutter stated that this information will be the responsibility of the communications sub-committee of the aforementioned task force in order to insure proper dissemination to the public. Mrs. Rogers asked whether the task force meetings are public meetings and Attorney Huntington stated that they will not be public.

Kathy Walters, 118 Chestnut Ridge Rd. Saddle River, NJ asked if a study has been conducted to determine if Verizon could possibly have better coverage in the Borough than T-Mobile for emergency services. Administrator Cuccia stated that Verizon is the primary carrier and Nextel is the secondary carrier and the emergency services departments are currently investigating whether a switch to T-Mobile as a secondary carrier is prudent.

Jim Rogers, 12 Twin Brooks Rd. Saddle River, NJ thanked the Mayor and Council for having the tower remain inactive until the children at Wandell School are on summer break. He further asked how the Mayor and Council intend to let all of the parents know this. Council President Mutter stated that the committee is meeting again on May 23, 2011 and that would be one of the first items on the agenda. The task force will determine the best way to convey this information to residents.

Patty Nazarro, 3 Westwind Ct. Saddle River, NJ stated that she is the Chairperson of the Saddle River Municipal Alliance and invited everyone to attend the Youth Leadership Graduation at the Saddle River Day School on May 26, 2011.

UNFINISHED BUSINESS:

NEW BUSINESS:

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

Respectfully submitted,

Marie Elena Macari
Borough Clerk

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