

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD OCTOBER 17, 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:

WORK SESSION:

MAYOR RAIJA

Mayor Raia was honored at the Buehler Challenger and Science Center on October 14, 2011 and thanked those that were in attendance. In addition, Mayor Raia stated that the 90th Anniversary Celebration at the Zion Lutheran Church was a tremendous success.

Marker Property: Mayor Raia stated that he is waiting to find out how much grant money will be allocated to this acquisition and should have the answer by the next Mayor and Council Meeting on November 14, 2011.

Northwest Bergen Mayor's Meeting: Mayor Raia stated that this was a very productive meeting; the Deputy Commissioner of Community Affairs, Betty Lou DeCroce, was the guest speaker. She addressed how communities throughout the State are saving money by working together with shared services such as police, fire, courts, etc. He further stated that he is going to meet with a NJ Senator in order to investigate this further and begin implementing this plan where feasible. Mayor Raia stated that communities need to have long term plans that can help the State.

Hybrid Vehicles: Mayor Raia stated that he calculated that the fuel savings over the course of six years will completely pay for the Building Inspector's Ford Escape. The Borough currently has four hybrid vehicles.

ADMINISTRATOR CUCCIA

9-1-1-PSAP Service: Administrator Cuccia stated that the Interlocal Agreement with Mahwah for providing 9-1-1- transfer services will not be renewed. The Borough of Paramus will take over this service for the Borough of Saddle River, effective January 1, 2012. Chief McWilliams will get exact prices for this service from the Borough of Paramus.

Zoning Ordinance Amendments: At this time, Council Member Toomey outlined the four ordinances for review by the Mayor and Council which include Tree Preservation, Historic Preservation, Fences and Saddle River Crossings.

The new Fence Ordinances reflects changes in fence distances from property lines, lighting on fences and stanchions. Driveways and paving in flag lots has also been amended in this ordinance as well as air conditioning pads, generator pads, cupolas, and fountains. He further stated that he would like the Mayor and Council to review these changes with the intent being that the ordinance be introduced at the November 14, 2011 meeting of the Mayor and Council. The permissible stanchion height as well as entry gates, HVAC unit placement and fountains were discussed at this time.

Council Member Toomey addressed the Saddle River Crossings and the Historic Preservation Ordinances and asked Borough Planner Richard Preiss to explain these ordinance amendments in detail. A purpose section will be added to these ordinances so that proposed uses can be clearly defined. Historic Preservation guidelines have been added so that the Planning and Zoning Boards can insure that the design of any proposed structure in the downtown adheres to design requirements. The current Historic Preservation ordinance amendment is imperative, as the Saddle River Crossing area will not be protected in terms of its historic character unless it is designated as an historic district. The amendments will include shifting the authority from the Landmarks Commission to the Mayor and Council as it relates to the approval of any modifications made to an historic structure. Historic home owner consent was discussed and it was decided that this is an important aspect of historic designation.

Council Member Toomey discussed the Bishop House and stated that lease, fund raising and support parameters are included in the Historic Preservation Ordinance.

Council Member Toomey addressed the Tree Ordinance and Richard Preiss outlined tree removal requirements that are included in the amendment as well as permitting guidelines. Mayor Raia stated that he would like Borough Landscape Architect Scott Levy to be included in the drafting process of this ordinance and reiterated that he wanted to insure that this ordinance was as comprehensive as possible while realizing that trees in Saddle River are an integral part of its character.

COAH Refunds: Administrator Cuccia stated that the Borough is currently in receipt of some COAH applications that are not eligible for a refund as they only paid ½%. Applicants will be notified as such after the resolution, which is part of the Consent Agenda, has been adopted.

Engineering Update: Administrator Cuccia asked Borough Engineer Martin Spence to give an update on engineering projects, either pending or underway in the Borough. He explained that Twin Brooks is currently under construction, the Rindlaub Park pond repair has recently been completed, the Bayberry Dr. culvert repairs are underway, and some roadways in the Borough will be re-paved. The Ridge (a 68 town home project) is underway and the Saddle River dredging project is being evaluated and funding is being determined.

Health Benefits Plan: Administrator Cuccia stated that, as of January 1, 2012, new Borough employees will have a choice of three health plans to choose from; the current plan, a higher deductible plan and a PPO Core plan.

PEOSHA Review: Administrator Cuccia stated that this review has been completed, with minor items needing to be addressed.

PSE&G Renewal Energy Project: Administrator Cuccia stated that PSE&G will be installing solar panels throughout the Borough, with the exception of the Historic District. There will be some limited installation due to the extensive amount of trees in the Borough. It was determined that this information will be posted on the website so that the public is made aware of this project.

Sign Placement in Rindlaub Park: Administrator Cuccia distributed pictures of signs at Rindlaub Park for the Mayor and Council to review and stressed that the signs are all consistent and are located on Borough property.

COUNCIL REPORTS:

Council Member Mastriano stated that the Food Drive began today and there are three collection sites: the Borough Hall, Wandell School and Terri O'Connor Realtors. The Center for Food Action will be the recipient of this collection and it will be posted on the Borough website.

Council Member Boardman stated that Borough Engineer Spence spoke at the Environmental Meeting on September 26, 2011 regarding the Saddle River dredging project and septic maintenance. The tree ordinance was addressed as well and it was decided that the Mayor and Council would work with the tree ordinance amendments and then present it to the Environmental Commission.

Septic maintenance and installation were discussed and Borough Engineer Spence addressed current guidelines.

Council President Mutter stated that the Cell Tower Task Force was responsible for reporting back to the Mayor and Council and reiterated that two town meetings were held and were well received and all of the information relevant to this issue is available on the website. Mayor Raia commended this Task Force once again for their tremendous effort on this project.

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

MUNICIPAL CLERK: Municipal Clerk Macari stated that October 18, 2011 is the last day to register to vote.

ADOPTION OF ORDINANCE(S):

ORD. NO. 11-855-C

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 97, ENTITLED " TOWING, ROAD SERVICE AND STORAGE OF VEHICLES", IN THE CODE OF THE BOROUGH OF SADDLE RIVER, NEW JERSEY

Resolution #108-11 Offered by Council President Mutter
Seconded by Council Member Murray

OPEN TO THE PUBLIC

CLOSED TO THE PUBLIC

Roll Call Vote: AYES, Unanimous

INTRODUCTION OF ORDINANCE(S): There were none.

APPROVAL OF BILLS

Resolution # 109-11 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 Toomey
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 9/19/11.

B. Resolution(s)

- R# 110-11 COAH Refunds**
- R# 111-11 Award of Bid to Gordon Ford for Ford Expedition XLT 4 X 4 for PD**
- R# 112-11 Refund for overpayment of taxes on B1805 Lot 15 due to reduced assessment**
- R# 113-11 Cancellation of Borough owned property taxes for 2011 and 2012**
- R# 114-11 Soil Movement For Blk 1607 Lot 22 and 123**
- R# 115-11 Appointment to Landmarks Commission: Mike Trepicchio & Jon Kurpis**

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:

COMMITTEE REPORTS

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

Fire Report: There was no report at this time.

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

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

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

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

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

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

Landmarks Committee: There was no report at this time.

Environmental Committee: There was no report at this time.

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

OPEN TO THE PUBLIC:

Maurice Burke, 102 West Saddle River Road stated that Carol Richin is no longer on the Saddle River Museum Committee and John May will be replacing her. He further stated that the people who are currently occupying the Saddle River Museum space are moving out shortly and he asked the Mayor and Council about the issue of obtaining non-profit status and if the building could be added to the alarm system within the Borough.

A three year program to orchestrate the necessary repairs at the Museum was put together by the Borough Engineer Martin Spence and this was addressed.

Irene Hubin, a member of the Saddle River Museum Committee stated that the Paramus Historical Society has placed file cabinets in the Museum and she feels that they need to be removed. She also addressed whether or not the Museum and the Bishop House will merge as entities and if they would be getting assistance in obtaining non-profit status to enable them to move forward with fund raising efforts.

Mayor Raia informed Mrs. Hubin that both entities are community resources and the will fall under the auspices of the Borough in order to insure their success moving forward.

Council Member Toomey stated that he has spoken with several members of the Bishop House Foundation and they do not seem amenable to combining the two properties through a tax exempt status and fund raising efforts and asked Mrs. Hubin how she feels about that. Mr. Burke stated that his understanding was that each property would be run separately but fall under one "umbrella" and one tax exempt status filing.

Mayor Raia stated that there will be two committees, one for each property, and each will remain municipal assets with the Mayor and Council having full jurisdiction over their operation. These two committees will coordinate with the Landmarks Commission who, in turn, will report to the Mayor and Council.

Bob LaViano, 59 Woodcliff Lake Road, Saddle River, NJ complimented the Mayor and Council for their diligent work with the upkeep of Saddle River. Additionally, he addressed the dead tree issue in the Borough and appealed to the Mayor and Council to address this issue as it is, not only a serious danger, but a financial hardship when there are prolonged power outages. He further stated that he has contacted utility companies and they inform him that they are frustrated with private property owner's lack of cooperation as well as lack of direction from the Borough. He further stated that someone should be assigned to this project and a town official should be overseeing this.

Administrator Cuccia addressed Mr. LaViano's concern about the dead trees in the Borough and stated that the biggest problem are trees located on private property. Mr. LaViano stated that this should

become part of the tree ordinance. Mayor Raia reiterated that this is a difficult situation as many residents do not cooperate and asked that the Borough conduct another inspection.

Marilyn Goldfisher, 124 West Saddle River Road Saddle River, NJ stated that she is addressing the new signs on Borough property, including the verbiage, which prohibits dogs from public parks in the Borough. She further stated that there are dogs brought to the pond regularly and they are chasing the wildlife in the pond. The sign, in her opinion, was misplaced near her property and away from the main access to the pond, and she feels that this was done deliberately. She also addressed skating on the pond, stating that Mr. Spence and his friends have played hockey on the pond, and does feel it is fair to the swans as they are defenseless, with nowhere to seek safety. She also addressed proper water levels to protect the water fowl living in the pond. She addressed where she feels the sign should be located and further stated that she feels betrayed by town officials, after years of service, due to their inaction on this important issue.

Borough Engineer Spence stated that Mrs. Goldfisher is incorrect as he has never skated on the pond, as she claims and he addressed the location of the sign and stated that he did not place it in its current location. He further stated that he takes his job very seriously and there was no intention or deliberate actions taken on his part.

Administrator Cuccia stated that he and Bruce Mautz, Director of Operations addressed and determined the location of the signs in the Borough. The "Skate at Your Own Risk" sign is Borough policy and the same sign is located at the Ice Pond on West Saddle River Road.

Mrs. Goldfisher apologized to Mr. Spence as she was told he was responsible for the sign placement and Mayor Raia suggested that she meet with Administrator Cuccia to address the placement and any reasonable request will be considered.

David Meeks, Waterford Gardens stated that the water fowl that Mrs. Goldfisher references are wild and can move around as they wish as long as their wings are not pinned. There are no obstructions in any of the waterways adjacent to the pond that would prevent them from entering the stream.

Patty Nazzaro, 3 Westwind Court, Saddle River, NJ stated that the Mayor and Council is in receipt of an invoice from the Municipal Alliance and also invited them to attend a seminar on substance abuse at Northern Highlands High School on Wednesday, October 19, 2011 at 9:30.

She suggested that a check list for home owners including items such as septic maintenance and chimney cleaning be added to the website.

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

Respectfully submitted,

Marie Elena Macari
Borough Clerk