

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

PRESENT: Mayor Raia, Council President Mutter, Council Members, Boardman, Mastriano, Toomey, Walenczyk, Borough Clerk Macari, Administrator Cuccia, & Attorney Bailey

ABSENT: Council Member Murray

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: Mayor Raia read a Proclamation for the Zion Evangelical Lutheran Church, commemorating their 190 year anniversary in the Borough of Saddle River. Pastor Wesley Smith was grateful and thanked the Mayor and Council.

WORK SESSION:

MAYOR RAI A

Bergen County League of Mayor's Meeting: Mayor Raia stated that he attended this meeting and, in light of the recent hurricane, he would like to set up a seminar for the Borough of Saddle River regarding dealing with power failures. In addition, a discussion regarding the Open Space grant took place amongst the mayors present.

N.J. Conference of Mayor's 20th Annual Fall Summit Meeting at Drumthwacket: Mayor Raia stated that Governor Christie conducted this meeting, along with the entire cabinet, to address Hurricane Irene. He further stated that the current administration is very professional and well educated and working diligently toward common goals.

Northwest Bergen Mayors Meeting: Mayor Raia stated that this meeting was held on Saturday, September 17, 2011 in Saddle River and Rockland Electric attended in order to address improving communications and relations among municipalities.

Empty Sky Dedication: Mayor Raia stated that he attended this dedication held at Liberty State Park in honor of 911; Governor Christie was the speaker.

911 Memorial Dedication: Mayor Raia stated that he was invited by Governor Christie to attend this very moving ceremony at Ground Zero on September 11, 2011.

Update on West Saddle River Road: Mayor Raia stated that, due to flooding during Hurricane Irene, a portion of the roadway has collapsed. It will be an emergency repair and should be done before year end.

ADMINISTRATOR CUCCIA

Open Space Grant Award and Report: Administrator Cuccia addressed the Open Space Grant Award in the amount of \$220,000 for Rindlaub Park snack bar improvements. Borough Engineer Spence explained the work in detail at this time and stated that a matching grant of \$30,000 has been approved. Council Member Mastriano stated that the scope of the work at the snack bar should be re-evaluated, including adding a second level for storage. She further stated that she would like Mr. Spence to attend the Parks and Recreation meeting on October 12, 2011 to address the Borough's needs with the snack shack. Mayor Raia stated he would like the façade and the bathrooms renovated work to keep the aesthetics similar to the band shell.

Exxon Mobil Environment Report: Administrator Cuccia stated that wells were tested in Memorial Park and results are pending.

COAH Refund Resolution: Administrator Cuccia stated that this resolution is part of the Consent Agenda and all COAH refunds have been thoroughly researched in order to refund the appropriate party.

Agreement for Amen Property: Administrator Cuccia asked Attorney Bill Bailey to explain this, which he did in detail. The property owner was issued several code violations and a lawsuit was generated by the Borough. Currently, a proposed settlement is before the Mayor and Council for their approval in the amount of \$25,000 with an additional \$7500 for legal expenses. The code violations would need to be addressed in a timely fashion and approved by the Building Inspector. If they default on their obligations in any way, the fine will increase to \$100,000 and they will need to vacate the premises within 10 days. He further stated that the Borough Attorney is recommending this agreement, but cautioned that it should be monitored closely.

Discuss Soil Movement Resolution for Perillo-Zazalli: Administrator Cuccia stated that there is an historic structure on this property and the owner has an interest in moving this building to Borough property. Mayor Raia stated that it has been suggested to move it to either the Exxon property or the Museum property. The original school master in the Borough of Saddle River lived there and it is on the Federal Historic Register. Council President Mutter stated that the time may not be right for the Borough to procure this structure and Council Member Mastriano suggested that it could be used as a gate house to the entrance of Rindlaub Park.

Best Practice Inventory Program: Administrator Cuccia stated that the Borough of Saddle River was in the top group and he would answer any questions regarding this program.

Authorization of continued membership in BMED: Administrator Cuccia stated that there is a resolution in the Consent Agenda regarding our membership in BMED.

COUNCIL REPORTS:

Council Member Toomey stated that he recently received a copy of a survey mailed to all of the residents in Upper Saddle River regarding their opinion on the Borough and its officials, goals, etc. Suggestions for Borough improvement are included and Council Member Toomey suggested that Saddle River consider this. Mayor Raia liked the idea and suggested that Council Member Toomey work with Administrator Cuccia on this project.

He further stated that the Ordinance Review Committee met on September 8, 2011 but he was unable to attend. Council Member Walenczyk attended this meeting and stated that several ongoing issues were discussed including the Saddle River Crossings and the zoning changes that will be necessary associated with this project. Drafts of zoning changes will be ready for review shortly by the Ordinance Review Committee and will be ready for review by the Mayor and Council at their meeting on October 17, 2011.

The tree ordinance was also discussed, with the focus on lessening the restrictions for tree removal; Mayor Raia suggested working with the Environmental Commission on this as well. Schools and churches in the R-1 zone will also be discussed as well as alternative energy, outdoor lighting, fountains, underground rooms, cupolas, tree houses and a cell tower regulation ordinance.

Council President Mutter stated that the next Cell Tower Forum is scheduled for October, 11, 2011 at 7:00pm. Mayor Raia stated that it is critical that all committee members attend; it will be conducted in the same fashion as the prior meeting of August 22, 2011.

Council Member Walenczyk stated that he participated in a conference call with FEMA regarding their assistance in procuring the Fire Fighter's Grant. Council President Mutter explained this application process in detail, stating that the grant consultant is very optimistic that Saddle River will be successful, requesting \$750,000 for the purchase of a new tanker truck. These grants are typically awarded in the spring.

Council Member Boardman stated that the Environmental Commission did not meet in August.

Council Member Mastriano stated that the Parks and Recreation met on September 14, 2011 and field usage was addressed as it is at maximum capacity. She asked the Council for their consideration in occasionally utilizing lights so that the park can be utilized after dark. Mayor Raia stated that he has spoken with residents about the lights and he advised the Council to understand how it would affect neighboring properties. He further added that the lighted field should be restricted to Saddle River residents only. Administrator Cuccia suggested that temporary lights be used in order to eliminate any issues that could arise. The next Parks and Recreation Meeting is October 12, 2011 and Council Member Mastriano requested that Martin Spence attend to discuss the snack shack.

Council Member Mastriano stated that the Villa Marie Claire has a soccer field on their property and has offered for Saddle River teams to use as a practice field. In addition, she stated that she would like to conduct a food drive in Saddle River, as there is a food shortage in Bergen County. The Wandell School is going to have a farmers market for several Fridays in order to continue their healthy diet initiative. This will be open to the public.

Mayor Raia stated that he would like to conduct another Saddle River clean up day and Council Member Mastriano was in agreement.

MUNICIPAL CLERK Marie Elena Macari stated that October 18, 2011 is the deadline for Voter Registration submission and the forms are available at the Borough Hall. The General Election will be held on November 8, 2011 from 6:00am to 8:00pm.

ADOPTION OF ORDINANCE(S):

ORD. NO. 11-854-M

CAPITAL ORDINANCE OF THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE ACQUISITION OF A NEW TANKER FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$800,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A FEDERAL GRANT AND FROM THE BOROUGH'S CAPITAL IMPROVEMENT FUND.

Resolution# 94-11 Offered by Council President Mutter
Seconded by Council Member Walenczyk
Roll Call Vote: AYES, Unanimous

OPEN TO THE PUBLIC

CLOSED TO THE PUBLIC

Roll Call Vote: AYES, Unanimous

INTRODUCTION 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 #95-11 Offered by Council President Mutter
Seconded by Council Member Toomey
Roll Call Vote: AYES, Unanimous

APPROVAL OF BILLS

Resolution # 96-11 Offered by Council Member Walenczyk
Seconded by Council Member Mastriano
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 Boardman
Roll Call Vote: AYES: Boardman, Mastriano, Mutter, Toomey
ABSENT: Murray

Explanation of Consent Agenda Items

At this time, Administrator Cuccia briefly explained the resolutions on the Consent Agenda. Martin Spence explained the Wandell Brook Restoration bid.

A. Approval of Minutes: Regular Meeting of 7/18/11 and Special Meeting of 8/22/11.

B. Resolution(s)

- R# 97-11 COAH Refunds**
- R# 98-11 Tax Overpayment refunds**
- R# 99-11 Cancellation of taxes on Borough owned property**
- R# 100-11 CDBG Representatives**
- R# 101-11 Soil Movement For Blk 1202 Lot 33 - Zazalli**
- R# 102-11 Award of bid for Wandell Brook Restoration at Bayberry Dr. culvert**
- R# 103-11 Authorizing submission of application for a Municipal alliance Grant**
- R# 104-11 Authorizing Bergen Municipal Employee Benefits Fund Indemnity and Trust Agreement**
- R# 105-11 Bergen Municipal Employee Health Benefits Fund Renewal**
- R# 106-11 Civil Action – Consent Judgement Stipulation**

OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:

COMMITTEE REPORTS

Finance Report: There was no report at this time.

Fire Report: Council Member Walenczyk gave the report for July 2011.

Police Report: Council President Mutter gave the report for July and August 2011.

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

Public Works: There was no report at this time.

Board of Health: Council President Mutter gave the report for August and stated that there will be a flu clinic on Oct. 12, 2011 at 10:00 am.

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

Environmental Committee: There was no report at this time.

Zoning Board: There was no report at this time.

Landmarks Committee: There was no report at this time.

Parks and Recreation: Council Member Mastriano gave the report for Sept. 2011.

OPEN TO THE PUBLIC:

Marilyn Goldfisher, 124 West Saddle River Road asked about the status of funding for the pending Saddle River dredging project. Administrator Cuccia stated that the Borough is currently researching grants for this work as well as speaking with contractors about this project.

Mrs. Goldfisher also stated that there is a problem with dumpsters floating down the river during heavy rains and her property is heavily damaged. She also asked about the storage of vehicles in the Borough and Administrator Cuccia explained that this is part of the towing ordinance.

Patty Nazzaro, 3 Westwind Court thanked the Mayor and Council for their consideration regarding the Saddle River Municipal Alliance grant resolution and outlined some of their objectives. Council Member Mastriano thanked Patty Nazzaro for her presentation at Back to School Night regarding the Municipal Alliance.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 107-11 Offered by Council Member Mastriano
Seconded by Council President Mutter
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