

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF SADDLE RIVER  
HELD APRIL 20, 2009**

**PRESENT:** Mayor Raia, Council President Burke, Council Members, Mastriano, Murray, Mutter, Toomey, Borough Clerk Macari, Administrator Cuccia, & Borough Attorney Russell Huntington

**ABSENT:** Council Member Re

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**PRESIDING:** Mayor Raia called the meeting to order at 7:15 p.m.; Borough Clerk Macari read the following statement:

"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 mailing a notice thereof to the Ridgewood Newspapers and The Record on December 10, 2008.

**NOTIFICATION OF FIRE EXITS**

**PLEDGE OF ALLEGIANCE:**

**AWARDS AND CEREMONIES:** At this time, Mayor Raia proclaimed June 2009 as Myasthenia Gravis Awareness Month in the Borough of Saddle River. Mayor Raia proclaimed April 2009 as Donate Life Month in the Borough of Saddle River.

**WORK SESSION:**

**MAYOR RAI A**

**Contribution to Saddle River Fire Department:** Mayor Raia stated that Mr. and Mrs. Bello made a donation to the Saddle River Fire Department in the amount of \$10,000 which will be put into a trust fund and used for necessary equipment. He read his letter of response to the Bello family.

**Master Plan:** Mayor Raia stated that the Master Plan Committee met to discuss the needs of the plan and the planner is currently implementing this into the Master Plan. An additional meeting is scheduled to review these changes.

## **ADMINISTRATOR CUCCIA**

**Budget Hearing 2009:** Administrator Cuccia stated that the 2009 budget has been approved by the Department of Community Affairs and is ready for public hearing and then adoption.

**Return of the Ridge Bond:** Administrator Cuccia stated that both cash and performance bonds were taken for this project and the Borough will be returning the entire cash bond and the majority of the performance bond, which will be voted on by resolution.

**COAH Update:** Attorney Huntington explained the COAH ordinance, which sets the rules and guidelines and allows the Borough to effectively implement its affordable housing plan. This ordinance will be voted on by resolution.

**West Saddle River Road Project:** Administrator Cuccia stated that this work will be starting this week, weather dependent, and all of the equipment is in place to begin.

**East Saddle River Road Project:** 18 bids were received for this project and Borough Engineer Spence is in the process of reviewing these bids and a recommendation for awarding this bid will be presented at the May 18, 2009 meeting of the Mayor and Council.

**Demolition:** Administrator Cuccia stated that, regarding the Brainard property, there is currently environmental testing done to be sure that there is not asbestos present. Once the test results are complete, the structure on the property will be demolished.

**Saites Property:** Administrator Cuccia stated that this home, located on the south side of Old Woods Road, has been vacant and in disrepair for quite some time. The homeowner has been notified by the Building Department that it must be dealt with immediately.

**Property for Park Entrance:** Administrator Cuccia stated that this is a Closed Session item.

**Residential Sprinkler Law:** Administrator Cuccia stated that New Jersey has passed this law and, effective in 2012, all new construction will be required to have interior sprinkler systems installed. Mayor Raia stated that this information will be included in the next Saddle River Newsletter.

## **COUNCIL REPORTS:**

Council Member Mastriano stated that the plans for the Memorial Day celebration are underway and a meeting was held last week to discuss the ceremonies.

In addition, she stated that the Green Committee met this week and is currently focusing on the Energy Audit. The forms are in the process of being submitted to the State. She further stated that there is an Ecology Fair at Wandell School, Friday, April 24, 2009 and she encouraged all to attend. Council Member Mastriano stated that she attended Sustainable Jersey program in New Brunswick, and, as Saddle River is a member and has successfully accumulated 100 points, we are considered a sustainable community.

Council President Burke stated that he received a call from a Council member in Woodcliff Lake who is interested in getting together to talk about shared services ideas.

Council Member Mutter stated that he has reviewed the vehicle replacement plan, and he asked Administrator Cuccia to discuss the sweeper designed to clean the paths in the Borough. He further stated that the piece of equipment costs approximately \$80,000 to \$100,000. In addition, he discussed the possible replacement of the Mason dump truck and several alternative models were discussed.

Mayor Raia suggested that Council Member Mutter Chair a committee to review the equipment that the Borough is considering and report back to the Mayor and Council.

Council Member Mutter stated that keeping concise repair records and accountability of wear and tear would be very beneficial moving forward to better access vehicle replacement needs in all departments in the Borough.

**BOROUGH ATTORNEY:** Attorney Huntington stated that he is currently working with both the Planning Board and Zoning Board Attorneys in order to review and make the necessary changes to the protocol for land use issues. In addition, the Borough Engineer and the Borough Landscape Architect are going to be implemented into the process. Mayor Raia stated that this will be an improvement for both the Borough and the applicants in order to streamline the process and eliminate misinterpretations.

**BOROUGH CLERK:** Borough Clerk Macari stated that the Mayor and Council are in receipt of the Ethic Disclosure Forms and asked that they be completed and returned by April 30, 2009. She further stated that Tuesday, April 21, 2009 are School Elections, to be held at the Saddle River Fire House from 2:00pm – 9:00pm.

The auction has been re-scheduled for May 13, 2009 at 9:30am.

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

**ORDINANCE NO. 09-829-M**

**CAPITAL ORDINANCE OF THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE UNDERTAKING OF CULVERT REPLACEMENT ON EAST SADDLE RIVER ROAD OVER ST. GABRIEL BROOK IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$585,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A COUNTY GRANT.**

**Resolution #48-09** Offered by Council Member Mutter  
Seconded by Council Member Murray  
Roll Call Vote: AYES, Unanimous

**ORDINANCE NO. 09-830**

**AN ORDINANCE TO VACATE A DRAINAGE EASEMENT FOR BLK 1201 LOT 24**

**Resolution # 49-09** Offered by Council Member Toomey  
Seconded by Board Member Mastriano  
Roll Call Vote: AYES, Unanimous

**THE 2009 MUNICIPAL BUDGET**

**OPEN TO THE PUBLIC: No one from the public wished to be heard.**

**Resolution# 50-09** Offered by Council Member Murray  
Seconded by Council President Burke  
Roll Call Vote: AYES, Unanimous

**ADOPTION OF ORDINANCES: Clerk to read the title of:**

**ORDINANCE NO. 09-825-M**

**BOND ORDINANCE TO AUTHORIZE THE RECONSTRUCTION OF OLD WOODS ROAD IN, BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$550,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A STATE GRANT, 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.**

**OPEN TO THE PUBLIC: No one from the public wished to be heard.**

**Resolution # 51-09** Offered by Council Member Mutter  
Offered by Council Member Murray  
Roll Call Vote: AYES, Unanimous

**ORDINANCE NO. 09-826-M**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS IMPROVEMENTS TO RINDLAUB PARK IN, BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$345,000 TO PAY THE COST THEREOF, TO APPROPRIATE COUNTY GRANTS, 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.**

**OPEN TO THE PUBLIC: No one from the public wished to be heard.**

**Resolution #52-09** Offered by Council Member Mastriano  
Offered by Council Member Toomey  
Roll Call Vote: AYES, Unanimous

**ORDINANCE NO. 09-827-C**

**AN ORDINANCE OF THE BOROUGH OF SADDLE RIVER TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE MUNICIPALITY'S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS**

**OPEN TO THE PUBLIC: No one from the public wished to be heard.**

**Resolution #53-09** Offered by Council President Burke  
Seconded by Council Member Mastriano  
Roll Call Vote: AYES, Unanimous

**ORD. 09-828-M CAP INDEX RATE ORDINANCE**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) OF THE CODE OF THE BOROUGH OF SADDLE RIVER**

**OPEN TO THE PUBLIC: No one from the public wished to be heard.**

**Resolution #54-09** Offered by Council Member Murray  
Seconded by Council Member Burke  
Roll Call Vote: AYES, Unanimous

**APPROVAL OF BILLS**

**Resolution # 55-09** Offered by Council Member Murray  
Seconded by Council Member Burke  
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 Burke  
Seconded by Council Member Murray  
Roll Call Vote: AYES, Unanimous

*Explanation of Consent Agenda Items*

**A. Approval of Minutes: 3/16/09 5-29**

**B. Resolution(s)**

- R# 56-09 Dedication by Rider for seized money trust fund to NJSA 40A:5-29
- R# 57-09 Tonnage Grant Application
- R# 58-09 Opposing SB 1303 and AB 3062 taking zoning and planning away from local governments
- R# 59-09 Ratifying action of tax collection for refunding added assessment Blk 1901 Lot 53
- R# 60-09 Cancellation of property taxes on Blk 1607 Lot 9, 92 E Allendale Road
- R# 61-09 Soil movement Warewoods Properties LLC Blk 1105 Lot 15
- R# 62-09 Soil movement L&J Realty Corp., 3 Dogwood Drive, Blk 1702 Lot 26
- R# 63-09 Partial release of performance security
- R# 64-09 Approval for Raffle License – PBA Local 348 – December 19, 2009

**OPEN TO THE PUBLIC FOR CONSENT AGENDA ITEMS ONLY:**

The following two resolutions were removed from the Consent Agenda and will be voted on separately.

**Supporting Participation in the Sustainable Jersey Municipal Certification Program**

**R# 65-09** Offered by Council Member Mastriano  
Seconded by Council Member Mutter  
Roll Call Vote: AYES, Unanimous

**Application for Local Government Energy Audit Program of the NJ Board of Public Utilities**

**R# 66-09** Offered by Council Member Mastriano  
Seconded by Council Member Murray  
Roll Call Vote: AYES, Unanimous

**COMMITTEE REPORTS**

**Finance Report:** Council Member Murray gave the report for March 2009.

**Fire Report:** Council Member Burke gave the report for March 2009.  
Mayor Raia stated that the Fire Department is continuing to participate in extensive training programs.

**Police Report:** Council President Burke gave the report for March 2009.

**Public Works:** Council Member Mutter gave the report for March 2009.

**Parks and Recreation:** Council Member Mastriano stated Rindlaub Park is open and all facilities are being used for spring activities. She further stated that School Board elections will take place on April 21, 2009

**Green Committee:** Council Member Mastriano stated that the Ecology Fair will be held on April 24, 2009. In addition, the committee is pursuing residential audits.

**Board of Health:** There was no report at this time. Council Member Mutter stated that Donate Life Month was a very important proclamation and stressed the importance of acting pre-emptively.

**Construction & Zoning Enforcement:** Council President Burke gave the report for March 2009.

**Zoning Board:** Council Member Toomey gave the report for March 2009.

**Planning Board:** Council President Burke gave the report for March 2009.

**OPEN TO THE PUBLIC:** No one from the public wished to be heard.

Unfinished Business: Council Member Murray asked Administrator Cuccia about the installation of water lines in the Borough and this was explained in detail.

### **RESOLUTION FOR CLOSED SESSION**

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

**Resolution # 67-09** was offered by Council Member Mastriano  
Seconded by Council Member Murray  
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