
**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD JANUARY 16, 2006**

PRESENT: Mayor Caruso, Council Members: FitzPatrick, Re, Raia, Administrator Cuccia, & Attorney Harry Norton

ABSENT: Council President Burke, Council Members Murray and Savarese (Council Member Savarese had a car accident outside the Borough Hall and was taken to the hospital.)

PRESIDING: Mayor Caruso called the meeting to order at 7:00 p.m.; Borough Clerk 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 faxing notice thereof to the Ridgewood Newspapers and The Record on December 30, 2005.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE:

AWARDS AND CEREMONIES:

Swearing in of Fire Department Officers: At this time, three members of the Saddle River Fire Department were sworn in by Mayor Caruso.

MAYOR CARUSO:

Corn Crib Plaque – Mayor Caruso stated that a plaque is being prepared by the Landmarks Commission with both names, Murko and Appleman families.

Burning Hollow Water – Mayor Caruso gave a brief overview of the current status of the Burning Hollow water situation. He further stated that the issue currently is whether or not the Borough of Saddle River should accept the State funding for this project. Two ordinances were passed, one in August and one at the December 19th meeting. The first one established the water utility for Burning Hollow and the other authorized the funding necessary for the project. The fact that these ordinances have been passed does not mean that they are not irrevocable; they could be eliminated completely, left in place, or modified. There is no strict time table with the DEP regarding a decision to reject or accept the funding. In order for the Borough to accept the State funding, the residents in the contaminated area have to agree to cap their wells and to accept the municipal water. If the funding is accepted *these* requirements must be met. If the project is funded independently, it will cost the Borough approximately \$1,100,000.00 which

could be financed either on a Borough-wide basis or as an assessment for just the affected residents. Cross contamination was discussed, if residents have the option of not capping their wells. The installation of rain sensors, which are now mandatory, for new installations, was also discussed. Mayor Caruso stated that the number of residents in the contaminated area (CKE) are as follows: Single family homes= 52, Vacant Lots=11, Town homes= 38. These numbers represent 90 households at this time. Council Member Raia stated that he would like to obtain more information regarding United Water as well as learning about the potential spread of the plume. Mayor Caruso discussed test results in specific areas as well as the spread of the plume and the direction of the aquifer. The actual volatile organic contaminants were also discussed.

Library Supplement: Council Member FitzPatrick met with a member of the council in the Borough of Woodcliff Lake to discuss the library issue. The suggestion to combine resources and work together to secure a better rate at a local library was made. The suggestion of a flat rate was discussed and it was decided that this would continue to be looked into.

ADMINISTRATOR CUCCIA

Administrator Cuccia stated that none of the ordinances would be introduced tonight because we do not have a quorum.

2006 Roadway Improvement Program: Administrator Cuccia stated that this program is underway and will be put out to bid.

Finance Committee Meeting Re: Budget: Administrator Cuccia stated that both Council Members Murray and Savarese were absent so this would be discussed at a later date.

BJIF Reorganization Meeting 6:00 pm on 1/19/06: Administrator Cuccia reminded the Mayor and Council of this meeting.

Steep Slope: Administrator Cuccia asked Borough Engineer Spence to discuss this amendment. Mr. Spence stated that this amendment was brought about from the Blue Ribbon Developers case and it had to do with soil relocation. The language was revised in the Steep Slope ordinance restricting development in the steep slope based on a percent disturbance.

Zoning Review Committee: Underground Rooms, wall size: Administrator Cuccia stated that The code needs to be reviewed further by the Zoning Review Committee.

Rain Sensors: Administrator Cuccia reiterated that they are now State law on irrigation systems.

COUNCIL REPORTS:

There were none.

PUBLIC HEARING ON ORDINANCE(S) Clerk to read the title of:

There were none.

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

There was no action taken as there was not a quorum.

APPROVAL OF BILLS

Resolution # 21-06 Offered by Council Member Re
Seconded by Council Member FitzPatrick
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 Member FitzPatrick
Seconded by Council Member Re
Roll Call Vote: AYES, Unanimous

Explanation of Consent Agenda Items

A. Approval of Minutes: The regular meeting of the Mayor and Council Minutes of December 19, 2005

B. Resolution (s):

- R# 22-06** Extension for contract date for Lower Cross Road to 4/17/06
- R# 23-06** Soil Movement Blk. 2101 Lot 17 Labarbiera
- R# 24-06** Soil Movement Blk. 1103 Lot 24.02 Heron's Ghyll Builders
- R# 25-06** Urging County-wide program to control the Canadian Geese
- R# 26-06** County of Bergen Shared Services to participate in a grant
- R# 27-06** Authorization for Administrator to advertise for bids for solid waste and recycling
- R# 28-06** Authorization for the Mayor to enter into a contract between the Borough of Saddle River and the County of Bergen for animal control services.

Open to the Public for Consent Agenda Items Only:

COMMITTEE REPORTS

Finance Report: There was no report at this time.

Fire Report: Council Member Re gave the report for December 2005.

Police Report: Council Member Re gave the report for December 2005.

Construction & Zoning Enforcement: There was no report at this time.

Planning Board: There was no report at this time.

Zoning Board: Council Member FitzPatrick gave the report for December 2005.

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

OPEN TO THE PUBLIC:

Bernie Hop – 21 Oak Road wanted to clarify the petitions that he submitted regarding the water issue. He further suggested that this be voted on as a referendum. He further stated that most of the residents are not comfortable with the decision and the Mayor and Council should not ignore this fact.

Marilyn Hillson, the Hollows, stated that she takes offense to the petition that was circulated and feels that the people that signed it are uninformed. She feels that the water is contaminated and it is a risk. She offered a copy of a pamphlet containing information on water she obtained from United Water.

Michael Kelton: 3 West Gate Road stated that he is not in the CKE but asked about contamination on properties east of Route 17. Mayor Caruso explained how the contamination has spread. Borough Engineer Spence explained the spread in detail. Mayor Caruso further explained the status of municipal water in the Borough of Saddle River. He further stated that it is not the objective of the Mayor and Council to force public water on every resident. He explained the perchlorate situation on the east side of the Borough. Mr. Kelton asked about cross contamination from the well into the public water system.

Dan Schiavello, 22 Cameron Road stated that he signed the petition and believes that his well water is healthier for his family. He also believes that there are contaminants in the public water system far greater than the contaminants in his well.

Marilyn Hillson, The Hollows, asked about residents who do not have POET systems and are on the border of the CKE and have not had their wells checked. Mr. Spence stated that these residents were not required to have their wells tested.

John Junkers, 8 Stonewall stated that he feels that the residents should have a choice.

Jerry Goodman, 45 West Saddle River Road stated that he feels that this situation is not only about water and he is disturbed about how the Mayor and Council communicate with the residents of the Borough of Saddle River. He feels that the Mayor and Council act and then advise the residents. Mayor Caruso stated that the residents are always advised and invited to public meetings and he does not feel that these comments are fair.

Bernie Hop, 21 Oak Road commended the Mayor and Council on their efforts. He further discussed the petition and the question of providing each resident with a choice.

Dan Schiavello spoke again and reiterated that there is a lack of communication in the Borough.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 29-06 was offered by Council Member FitzPatrick

Seconded By Member

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