
**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD MARCH 20, 2006**

PRESENT: Mayor Caruso, Council Members, Murray, Raia, Savarese, Borough Clerk Macari, Administrator Cuccia, & Attorney Harry Norton

ABSENT: Council President Burke, Council Members Re and FitzPatrick

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:

MAYOR CARUSO:

Mayor Caruso stated that he was sorry to report the death of Maury Donovan, 94, who had been appointed the Deputy Mayor of Brighton Gardens, at the age of.

Amending Time of Decision Rule: Mayor Caruso stated that he was in receipt of a resolution opposing S-457, amending the time of decision rule. Attorney Norton explained the bill to the Council in detail. It was decided that this resolution would be voted on at the April 17, 2006 meeting so that the entire council could vote on it.

At this time, Mayor Caruso discussed a Verizon presentation regarding fiber optics. As there is no current legislation to date to validate this plan, it was not acted upon.

ADMINISTRATOR CUCCIA

Request from NJ DataNet Telecom for Telecommunication Facilities Within the Borough/ Application from Verizon for Municipal Consent for the Operation of a Cable Television System in the Borough: Administrator Cuccia stated that this is going to be discussed at the next Northwest Bergen Managers Meeting to see where other municipalities stand on Verizon's request to provide their services. Verizon has received all the necessary approvals to operate from the State but he could not verify that approvals were granted for DataNet. He further stated that it will continue to be discussed at the April meeting of Northwest Bergen Manager's Meeting. Mayor Caruso stated that he would discuss this with the Mayors of local municipalities as well.

Council Member Raia stated that he had forwarded a Wall Street Journal article regarding this issue to Administrator Cuccia and reiterated its content. The school's involvement was also discussed. It was decided that this was going to be discussed when more information was available.

Training Class: Administrator Cuccia stated that the training class is for the Zoning Board of Adjustment and the Planning Board. Mayor Caruso stated that he would like to use the JIF training program and utilize their personnel. Borough Clerk Macari stated that there is going to be a class at Bergen Community College regarding this subject matter on April 29th but it has not yet been decided if the credits will meet the necessary requirements.

Opposing Amendments S. No. 1219: Administrator Cuccia asked Borough Clerk Macari to explain this and she stated that this sample resolution was urging re-introduction of legislation to exempt municipal clerks from penalties for open public records act violations under certain circumstances. It was decided that it would be voted on at the April 17, 2006 meeting.

Administrator Cuccia added that he has been approached to have a residence in the Borough used for a fund raiser for the Hackensack University Medical Center as a designer showcase home for approximately one month. Council Member Raia stated that it has been done before and did not pose a problem. It is going to benefit the Cancer Center at HUMC. The home is located on East Saddle River Road and valet parking will be available. Council Member Murray asked if police overtime would be necessary and was told that it would not be.

COUNCIL REPORTS:

Council Member Savarese explained the soil movement resolution that is part of the Consent Agenda.

Council Member Murray stated that the January and February financial reports are in good order.

Attorney Norton briefly explained the status of the Dreznin vs. Borough of Saddle River case which is currently pending. He further stated that he would recommend aggressively pursuing a motion of dismissal.

At this time Mayor Caruso asked Administrator Cuccia to explain the dedicated trust by rider for

donations-acceptance of bequests and gifts, etc. which is part of the Consent Agenda.

Council Member Raia asked for clarification regarding the Storm Water Management Ordinance which Borough Engineer Spence addressed.

RESOLUTION FOR CLOSED SESSION

There was no Closed Session.

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 were none.

APPROVAL OF BILLS

Resolution # 52-06 Offered by Council Member Murray
Seconded by Council Member Savarese
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 Raia
Seconded by Council Member Murray
Roll Call Vote: AYES, Unanimous
Explanation of Consent Agenda Items

A. Approval of Minutes: Special Meeting – 2/7/06, Regular Meeting – 2/13/06

B. Resolution (s):

R# 53-06 Soil Movement Blk. 1701 Lot 22 7 Bayberry Drive
**R# 54-06 Establish a dedicated trust by rider for donations-
acceptance of bequests and gifts, pursuant to NJSA 40a:5-29 for
police equipment purchases**

Open to the Public for Consent Agenda Items Only:

No one from the public wished to be heard

COMMITTEE REPORTS

Finance Report: Council Member Murray gave the report for both January and February 2006.

Fire Report: There was no report at this time.

Police Report: There was no report at this time. Mayor Caruso stated that Detective Tumillo and Sgt. Schwartz attended a course on weapons of mass destruction training and he commended them for their efforts.

Construction & Zoning Enforcement: Council Member Savarese gave the report for February 2006.

Planning Board: Council Member Saverese gave the report for February 2006.

Zoning Board: There was no report at this time.

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

OPEN TO THE PUBLIC:

Frida Parker, 19 Dater Lane commended the Mayor and Council for having the meeting agenda on the website. She asked for clarification regarding the resolution to amend time of decision rule. Attorney Norton explained this.

Joe Pera, 16 Old Farms Road stated that there is a height restriction of 35 feet, measured only from the front of the structure. Recently, homes being built along side of large hills have circumvented this restriction and there is no way to regulate this.

Jerry Treglia, 41 Woodcliff Lake Road continued the discussion regarding the height restriction. Borough Engineer Spence reiterated the contents of the ordinance for clarification. As this is a complex problem, Mayor Caruso suggested that Martin Spence meet with Mr. Treglia and Building Inspector, John Scialla to continue to address this.

Fire Chief Dave Muellers asked about the designer showcase planned on East Saddle River Road and wanted to be sure that, although there will be valet parking on site, there is room for fire truck access if necessary.

UNFINISHED AND NEW BUSINESS:

Council Member Raia stated that he was waiting for the meeting with the DEP regarding the water issue in Burning Hollow.

Mayor Caruso stated that he is in receipt of the Zoning Board of Adjustment Annual Report and he commended him on his efforts.

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

Respectfully submitted,

Marie Elena Macari
Borough Clerk

NWWP/MINMCfmarch06