
**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD JUNE 19, 2006**

PRESENT: Mayor Caruso, Council President Burke, Council Members, Murray, FitzPatrick, Re, Raia, Savarese, Borough Clerk Macari, Administrator Cuccia, & Attorney Harry Norton, Acting Mayor Jeffrey Korb

ABSENT:

PRESIDING: Wandell School Acting Mayor Jeffrey Korb 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: Jeffrey Korb led the Mayor and Council in the Pledge of Allegiance.

AWARDS AND CEREMONIES: Mayor Caruso thanked Carol Weinberg and staff for their efforts with Saddle River Night on June 10, 2006.

HEARING FOR VERIZON: Mayor Caruso stated that Verizon requested a public hearing which is required by law, and introduced John Harrington, franchise manager with Verizon. Mr. Harrington introduced Gabrielle Storma, outside counsel for Verizon and asked her to give an update on statewide legislation, which she did. Mr. Harrington then explained, in detail to the public, what Verizon's intent is for providing cable television to the residents of the Borough of Saddle River. He then asked Ms. Storma to continue her presentation regarding the legal process with securing Verizon as the cable provider for the Borough of Saddle River.

Council Member Raia asked if every resident would have access to this service and Mr. Harrington stated that they would but perhaps the timing of its inception could vary, depending on each homes needs.

OPEN TO THE PUBLIC:

Alan Post, 15 Dogwood Drive asked about the pricing across the state and whether or not it would be competitive. Mr. Harrington explained that it would be priced on a regional basis. Resident Alan Post also asked if coupling several services together would be beneficial and Mr. Harrington explained that bundling the services is definitely a benefit to the residents.

Gary Shaw, Government Affairs Manager, Cable Vision, stated that they are not opposed to the competition. They want to make sure that the playing field is level as Cable Vision is going town by town in getting contracts as opposed to getting a State contract. He further stated that it is

important for the Borough of Saddle River to be very diligent with securing a time schedule for work proposed, especially underground work. He further stated that Cable Vision does offer senior discounts as well as a fiber return feed, both which are very beneficial. He further stated that the prices would be competitive as well and in many cases may be less expensive than Verizon as there are many hidden costs in their package. He reiterated that it is in the best interest for the Borough of Saddle River to review these facts very closely and make sure that these facts are being weighed on a level playing field.

Council Member Murray asked Mr. Harrington if Verizon was prepared to meet Cable Vision's Offer of services and he responded that they would not duplicate those services.

Freda Parker, 19 Dater Line, stated that Cable Vision has had to make many visits to her home for repairs and she is very frustrated, especially as she relies heavily on the internet. She further stated that an improved quality of service would be welcome.

David Muellers, 5 Deer Trail stated that he would like the ability to choose his provider.

Gabrielle Storma, counsel for Verizon clarified points that were made by Gary Shaw of Cable Vision.

Mayor Caruso stated that the information would have to be closely evaluated so that the best possible decision can be made for the residents of Saddle River. He further stated that the hearing would be carried to a future meeting.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 92-06 was offered by Council Member FitzPatrick
Seconded by Council Member Savarese
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.

MAYOR CARUSO:

Update on the Ridge: The developers of the Ridge requested to meet with several members of the Planning Board regarding the project and the meeting was planned for June 20, 2006.

Limitation on Roof Heights: Mayor Caruso stated that a sub-committee has been formed to further deal with this issue. He further stated that problems arise when homes are being built on steep slopes. The objective of the study is to come to some conclusion about how to best include this in an ordinance. Council Member Raia stated that he would hope that the committee would investigate how neighboring towns are dealing with this situation as well.

Demolition: Mayor Caruso stated that this topic is also being reviewed by a committee in addition to Borough Engineer Martin Spence as well as Building Inspector John Scialla.

ADMINISTRATOR CUCCIA

Garbage Bids: Administrator Cuccia stated that several bids were received and that Waste Management won the bid. He further stated that it is up to the Mayor and Council whether or not they would like to award a one, three or five year contract. The resolution is part of the Consent Agenda.

John David Road: Administrator Cuccia explained that this is a public road that is the access road to the Hollows. It is now being designated as a municipal roadway.

Verizon Hearing: Administrator Cuccia stated that the hearing will continue after it is clear what the state decides on this issue.

NJ Data Net: Administrator Cuccia explained that this is an Internet system which does not carry voice or cable. They have asked to come to the Borough and conduct a public hearing regarding their product. Council Member Raia asked if some of these providers could run their cables underground in an effort to reduce the amount of wires, particularly in the center of town. Attorney Norton explained that this is very complicated and impacts the entire town.

Salary Resolution: Administrator Cuccia explained that this is the formal resolution that is presented each year for every Borough employee.

Lower Cross Road: Administrator Cuccia explained that this resolution will be re-adopted this month with the dollar amount of the paving work to be included.

Joint Insurance Fund Conference: Administrator Cuccia explained that he found a driving simulator for fire and EMS drivers that he feels could be very beneficial. He further stated that he would like to ask the County if they would fund one half of this.

COUNCIL REPORTS:

Council Member Murray stated that the Memorial Day celebration was a success.

Council Member Savarese explained the three soil movement resolutions that are part of the Consent Agenda.

Council President Burke discussed the museum and its design. He further stated that he feels that there should be an advisory committee to make decisions moving forward to include a member of the Landmarks Committee, three residents, a representative from Wandell and a member of the Council.

Council Member Raia asked about the planner and Administrator Cuccia explained that he would try to attend the next Council Meeting. Council Member Raia stated that Upper Saddle River conducted a survey which asked the residents what they envisioned the town would look like in the year 2020. He further stated that this could be very beneficial for the Borough of Saddle River to consider as well. Mayor Caruso stated that he felt it was a great idea and perhaps it should be placed on the internet.

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

There were none.

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

ORDINANCE NO. 06-795-C

AN ORDINANCE TO ACCEPT CERTAIN STREETS, AS PUBLIC STREETS IN THE BOROUGH OF SADDLE RIVER, STATE OF NEW JERSEY, IN THE CODE OF THE BOROUGH OF SADDLE RIVER.

**Resolution # 93-06 Offered by Council Member FitzPatrick
Seconded by Council Member Savarese
Roll Call Vote: AYES, Unanimous**

ORDINANCE NO. 06-796-C

**AN ORDINANCE TO REPEAL ORDINANCE 05-784-M
A BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING
OF THE BURNING HOLLOW WATER MAIN EXTENSION
PROJECT (PHASE II) IN, BY AND FOR THE WATER UTILITY
OF THE BOROUGH OF SADDLE RIVER, IN THE COUNTY
OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM
OF \$1,795,427 TO PAY THE COST THEREOF, TO APPROPRIATE
A STATE GRANT, TO AUTHORIZE THE ISSUANCE OF \$600,000.00
OF BONDS TO FINANCE SUCH APPROPRIATION AND TO
PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES
IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS, ADOPTED ON
DECEMBER 19, 2005.**

**Resolution # 94-06 Offered by Council Member Raia
Seconded by Council Member Burke
Roll Call Vote: AYES, Unanimous**

APPROVAL OF BILLS

**Resolution # 95-06 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 Burke
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 April 17, 2006 & May 15, 2006.

- B. Resolution (s):**
 - R# 96-06** Agreement for snow plowing between Saddle River and Bergen County
 - R# 97-06** Soil Movement Blk. 2003 Lot 11 Leonard Developers
 - R# 98-06** Soil Movement Blk. 1701 Lot 22 David Brown
 - R# 99-06** Soil Movement 1701 Lot 41.01 Dr. Anthony Kurtz
 - R# 100-06** Salaries
 - R# 101-06** Award bid for collection of solid waste and recycling
 - R# 102-06** Tax refund for over payment Blk. 1301 Lot 50
 - R# 103-06** Canceling tax credit and debts under \$10.00 Blks & Lots as listed in resolution
 - R# 104-06** Tax refund for over payment Blk. 1302 Lot 1.05 C8001
 - R# 105-06** Award of bid for road improvement on Lower Cross Road (replaces resolution 74-06 for more specific language)
 - R# 106-06** Appoint Community Development representatives

Open to the Public for Consent Agenda Items Only:

COMMITTEE REPORTS

Finance Report: Council Member Murray gave the report for May 2006.

Fire Report: Council Member Re gave the report for May 2006.

Police Report: Council President Burke gave the report for May 2006

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

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

Zoning Board: Council Member FitzPatrick gave the report for May 2006

Parks and Recreation: Council Member Raia stated that the next report will be in September, 2006.

OPEN TO THE PUBLIC:

Carol Weinberg, 238 East Saddle River Road stated that she wanted to discuss Saddle River Day and Saddle River Night. She further stated that she feels that there may be some confusion among residents and perhaps changing the name of the event would be helpful. She suggested perhaps "Music Under the Stars". She also asked for the Mayor and Council to consider constructing a permanent band shell in Rindlaub Park. It was suggested that this be dealt with by the Parks and Recreation Commission.

Bernie Hopp, 21 Oak Road stated that he had questions regarding Ordinance 06-796-C. Attorney Norton stated that this ordinance dealt with the funding ordinance. He further asked if this ordinance was passed is the Borough of Saddle River rejecting the \$1,200,000 from the State of New Jersey and Attorney Norton explained that this is a bond ordinance and if passed, the bond will not be in effect. Mr. Hopp asked the purpose of rescinding this ordinance and Mayor Caruso stated that it will allow the case to proceed on the merits of the health and welfare issue which is the proper focus of the entire litigation.

Michael Kelton, 3 West Gate Road asked for an update on the traffic light on Boroline Road and Mayor Caruso explained the current situation. Administrator Cuccia stated that he has been speaking with the Borough of Allendale regarding this issue as well. Borough Engineer Spence also discussed the status of the light at this time.

UNFINISHED AND NEW BUSINESS:

Council Member FitzPatrick read a letter from a resident thanking the Borough for the installation of a storm drain on Twin Brooks Road.

Council Member FitzPatrick also asked about the back porch of the Bishop House and Administrator Cuccia explained that he had a discussion with both Mr. Post and Council Member Savarese and they will continue to discuss this to obtain a time frame for the work to be done.

Council President Burke stated that one of the oldest homes in the Borough, located on East Saddle River Road is going to be put on the market shortly and he inquired if the town had any interest in purchasing it. Mayor Caruso suggested obtaining more information.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 107-06 was offered by Council Member FitzPatrick
Seconded by Council Member Savarese
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

NWWP/MINMCjune06