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

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

ABSENT: Council President Burke

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:

WORK SESSION

MAYOR CARUSO:

Villa Marie Claire: Mayor Caruso stated that he had a meeting with the Friends of the Villa to try and determine what the thinking is regarding the property. He is going to continue to pursue this.

The Ridge: Mayor Caruso stated that the Planning Board has accepted the agreement which will be a positive contribution to the Borough of Saddle River of approximately \$850,000. He outlined how this money may be spent. The appeal to obtain ingress and egress on Chestnut Ridge Road is going to be dropped.

Traffic Light: Mayor Caruso stated that there are two traffic light issues; the first located at the intersection of East Allendale and East Saddle River Road and it was decided that Administrator Cuccia and Chief McWilliams would look into this further. The County is going to conduct a study and is in agreement that the intersection needs to be modified to relieve some of the traffic problems. The second light is on the corner of Boroline Road and East Allendale Road. Borough Engineer Spence stated that it is a County project and Allendale must participate as well.

ADMINISTRATOR CUCCIA

Reorganization Meeting – Wednesday, January 3, 2007: Administrator Cuccia stated that the date for the Reorganization meeting will be January 3, 2007 and asked that the Council make a note of it.

Agreement with Ridgewood for Municipal Court Video Conferencing: Administrator Cuccia stated that this allows the Borough of Saddle River to arraign people in the Bergen County Jail without having to transport them back. This agreement is part of the Consent Agenda.

Update on the Museum: Borough Engineer Spence stated that the demolition is completed and bids have been submitted by sub-contractors. He further stated that the \$55,000 budget allocated for this project would be sufficient.

Northwest Bergen County Utilities Authority Update/Revision to the Wastewater Management Plan: Borough Engineer Spence stated that Northwest Bergen County Utilities Authority needs to update their plan through 2026 and the Planning Board responded to them on this issue.

Marine Corp League: Administrator Cuccia stated that the Marine Corp League, who meets solely in the Borough of Saddle River, has requested that they be able to access the Joint Insurance Fund in order to obtain liability insurance. There will not be any additional cost to the Borough and Administrator Cuccia asked the Mayor and Council for their approval and they all agreed.

COUNCIL REPORTS:

Council Member FitzPatrick stated that the Valley Club would like to change the date of their Open House to coincide with the tree lighting on December 3, 2006. The hours of the Open House will be 5:00pm – 7:00pm.

Council Member Savarese stated that a Soil Movement will be added to the Consent Agenda for 229 West Saddle River Road.

Council Member Murray stated that the financial reports are satisfactory.

Council Member Raia stated that the scoreboard at Rindlaub Park has been installed and is working.

Council Member Re stated that he and Administrator Cuccia met with the Fire Department.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 145-06 was offered by Council Member FitzPatrick
Seconded by Council Member Re

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.

At this time, Mayor Caruso stated that Council Member Raia wished to make the following statement:

Councilman Samuel S. Raia
Comments on the Conceptual Settlement Agreement
For the Water Project in the Contaminated Area of Burning Hollow

The Council is elected by the residents of Saddle River and as a result we recognize our duty to respond to the concerns and desires of the community.

At the same time, make no mistake we have also been elected to protect the health and welfare of ALL our residents. To that end the Council had directed our Administrator and our Borough Attorney to negotiate with the DEP and to work towards, what has resulted in, a conceptual settlement agreement between the plaintiff and the Borough which will bring our differences to a common ground.

Before I elaborate on the general terms of the conceptual settlement agreement, I would like to once again state to all the residents of the Borough of Saddle River that it is not the intention of this Council to bring public drinking water universally to all the Residents of our community.

As Council President Burke stated on July 17, 2006.

“ The issue is Public Health and we will stay focused on that issue.

Public Health is a serious situation which could affect the health of our children, our families, and our property values.

.....I would like to make this perfectly clear to every resident in our community that the action taken by this Council regarding public water, solely relates to the contaminated area of Burning Hollow and it is not the intention of this Council, or any of previous Council, to bring public drinking water to

the town in general.”

To further clarify, there are 66 contaminated wells in Burning Hollow. We have positive feedback from approximately half of the affected property owners of their strong desire, because of health concerns, to connect to the public water system. Now, I would like to return to the conceptual settlement being discussed by the plaintiff and our Attorney and Administrator. This conceptual settlement agreement is being developed by the plaintiff and our professionals, it has not been fully developed as of today, and therefore has not yet been approved by the Council.

Some of the proposed provisions of the conceptual settlement agreement are:

1. The Borough will complete the installation of water mains and fire hydrants in Burning Hollow.
2. Properties in the contaminated area of Burning Hollow who are on a POET system and wish to connect to public water will be allowed to do so.
3. The Borough will renegotiate with the DEP in order to obtain whatever funds we can for the water connections for property owners who wish to connect to public water.
4. Properties in the contaminated area of Burning Hollow who are on a POET system and wish to remain may do so and may connect to public water at a later date.
5. All other Properties in the contaminated area of Burning Hollow which are not currently contaminated shall have the option of connecting to public water when public water becomes available. These connections would be made at the owner's expense.
6. All properties located out of the contaminated area of Burning Hollow shall have the option to connect to public water when public water becomes available. These connections would also be made at the owners expense.
7. The issue of irrigation wells is still being considered but has not been resolved with the DEP.

This Council has been and will continue to be reasoned and diligent in its approach to resolving issues that face the Borough. Public Health affects all of us and should be of the utmost concern to all of us. Keep in mind,

we live in the most densely populated state in the Nation. Every road, every, development and every process we utilize to create a more evolved environment for our population has an effect on ALL of our natural resources. **While we will continue to work with those individuals who are resisting safe public water Our focus is now and will always be the safety of our Borough , our residents, and our children.**

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

ORDINANCE NO. 06-800-C

**AN ORDINANCE TO ESTABLISH DEEDS FOR LOTS 7, 8
AND 9 BLOCK 1402 AFTER DISTRIBUTION OF ALL LAND**

Resolution # 146-06 Offered by Council Member Savarese
Seconded by Council Member Raia
Roll Call Vote: AYES, Unanimous

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

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

ORDINANCE NO. 06-801-C

**AN ORDINANCE FOR THE ESTABLISHMENT OF
POLITICAL CONTRIBUTIONS DISCLOSURE REQUIREMENTS
IN THE BOROUGH OF SADDLE RIVER**

Resolution # 147-06 offered by Council Member Re
Seconded by Council Member Murray
Roll Call Vote: AYES, Unanimous

APPROVAL OF BILLS

Resolution # 148-06 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 Mayor Caruso
Seconded by Council Member Savarese
Roll Call Vote: AYES, Unanimous

Explanation of Consent Agenda Items

- A. Approval of Minutes:** The regular meeting of the Mayor and Council Minutes of September 18, 2006 were approved with one correction.

- B. Resolution (s):**
 - R# 149-06 Authorization to sign Interlocal Agreement for Municipal Court Conferencing**
 - R# 150-06 Appointment of Janine Napoleone Deputy Court Administrator**
 - R# 151-06 Soil Movement James Kerner, Blk. 1702 Lot 29**
 - R# 152-06 Duplicate Tax Sale Certificate – Saw Mill**
 - R# 153-06 Municipal Charge for 77 East Saddle River Road**

Open to the Public for Consent Agenda Items Only:

COMMITTEE REPORTS

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

Fire Report: Council Member Re gave the report and stated that the report was on file with the Borough Clerk for September 2006.

Police Report: There was no report at this time.

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

Planning Board: Council Member Savarese gave the report for October 2006.

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

Parks and Recreation: Council Member Raia reiterated that the scoreboard installation has been successfully completed.

OPEN TO THE PUBLIC:

UNFINISHED AND NEW BUSINESS:

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

Respectfully submitted,

Marie Elena Macari
Borough Clerk

WP/MINMCoct06