
**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD APRIL 16, 2007**

revised 5/15/07

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

ABSENT:

PRESIDING: Mayor Caruso 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 faxing notice thereof to the Ridgewood Newspapers and The Record on January 2, 2007.

NOTIFICATION OF FIRE EXITS

PLEDGE OF ALLEGIANCE:

AWARDS AND CEREMONIES:

Mayor Caruso read the Proclamation proclaiming April as Child Abuse Prevention Month in the Borough of Saddle River.

Mayor Caruso stated that Eleanor Wilde passed away earlier in the week and further stated that there will be a service at the Zion Lutheran Church at 10:00am on Tuesday, April 17, 2007.

WORK SESSION:

MAYOR CARUSO:

Mayor Caruso stated that he was in receipt of a letter from Nancy Cosgriff regarding a request to put a bench in Rindlaub Park in honor of her late husband, TJ Cosgriff. Council Member Raia stated that the Recreation Committee should be involved to decide the placement of the bench.

Mayor Caruso asked Attorney Norton to discuss the pending lawsuit with Upper Saddle River vs. Airmont/Rockland County Sewer District #1. Mayor Caruso stated that he felt it was very important to get involved and Attorney Norton explained that there is a proposed Yeshiva planned for the property adjacent to the area and he explained the importance of making sure that this is not construed as an anti-religion as opposed to an anti-pollution cause.

Council Member Raia stated that he feels the amount of dumping into the Saddle River is a disgrace and further stated that this has nothing to do with religion. He further stated that the New Jersey DEP should be contacted and made aware of the situation. Mayor Caruso stated that he feels that we should be pro-active and get the other 11 communities involved that this pertains to. He further suggested that he wanted to make a motion to join the litigation on whatever basis is appropriate. Attorney Norton suggested joining Upper Saddle River as they are being represented by an expert. He further stated that the other affected communities were contacted about this situation and did not respond. Council Member Raia stated if they were aware of the level of pollutants being discharged into the river, 8000 gallons in two months, perhaps they would reconsider.

Attorney Norton stated that he was going to contact the Borough of Upper Saddle River and advise them that the Borough of Saddle River wished to join them in their litigation and in addition he would contact the remaining Borough Attorneys in the affected communities and make them aware, once again, of the situation.

Building Code Ordinance Changes: Mayor Caruso stated that a committee, including Jerry Treglia and Lou Savarese is currently addressing the current building code, specifically building height limitations and the 50% rule regarding the demolition of a home. He further stated that Attorney Koenig is going to investigate case law and present a draft to the Council shortly.

Council Member Raia stated that the driveways also need to be addressed and Mayor Caruso stated that it will be looked at as well.

Agreement with Bergen County Housing Authority: Mayor Caruso stated that the Bergen Housing Authority was the managing agent for affordable housing and have now been replaced. He further stated that Attorney Koenig is concerned about the monitoring of the sale and appraisal of these units.

Administrator Cuccia:

Budget Adoption: Administrator Cuccia stated that the Budget would be adopted by resolution, with one small change.

Testing of Rindlaub Well: Administrator Cuccia stated that the well has been tested and the results will be forthcoming.

Geese Police: Administrator Cuccia stated that Council Member Raia helped get in touch with the Geese Police North and a meeting in May has been scheduled to assess the situation at Rindlaub Park.

Report on Colonial Shopping Center: Administrator Cuccia stated that he has spoken with Mr. Lucarelli regarding the signage and he will have renderings by May 15, 2007 to be reviewed by the Mayor and Council.

Resolution for 2007 Salaries: Administrator Cuccia stated that this resolution is part of the agenda and it will include those employees that are not in the PBA. Council Member Murray asked for clarification regarding who was included in this and Administrator Cuccia explained this.

Graffiti: Administrator Cuccia stated that Borough Engineer Spence has meet with Mr. Schepisi and he explained the current status of the situation. It was recommended that Mr. Schepisi, the property owner, add some plantings to the area now and complete the plantings when the clean-up process is complete.

Lightening Warning System: Administrator Cuccia stated that the person who is doing the training is currently out of town and he needs to resolve whether or not the lightening arrester system should be on the same building as the warning system. Council Member Raia stated that it is much easier to move the warning system and Administrator Cuccia stated that he would look into it further.

Adopt a Highway: Administrator Cuccia stated that he contacted some of the companies that conduct the set-up and the on-going clean up and gave the Mayor and Council the fees. He further stated that the DOT must provide the approval for this program as well. Council Member Raia stated that it is his hope that some of the civic groups participate as well.

Estimates on Construction Cost Water Main Extensions: Borough Engineer Spence explained the current status of the work on the water main extensions that are on West Saddle River Road south of East Allendale Road and East Saddle River Road with the connection on Lower Cross Road. Mr. Spence stated that there was some extension in the Upper Saddle River right of way, so they will have to be involved as well. Council Member Raia asked if everyone would have water access in the event of a fire and Administrator Cuccia stated that they would. He further asked about the looping of the system and Administrator Cuccia explained that it is monitored by meter pits. He further stated that, it would be funded by bonds and notes, at the rate of 3.95%.

Administrator Cuccia stated that he was contacted by Upper Saddle River Council Member Dennis Schubert who has requested that small committee be set up to discuss shared services. He further stated that one council member is needed and Council Member Burke volunteered.

COUNCIL REPORTS:

Council Member FitzPatrick stated that the plans for Memorial Day are underway for May 28, 2007 and encouraged anyone to offer help and suggestions. She is hoping that Wandell School will provide a float.

Council Member Savarese explained the two soil movement resolutions in the Consent Agenda.

Council Member Murray stated that there was no financial report available at this time as the 2007 Municipal Budget was going to be adopted during this meeting.

Council Member Re stated that the Fire Chief and Assistant Fire Chief have been busy helping those in need after the storm.

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

ORDINANCE 07-809-M

ORD. NO. 07-809-M BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF WATER MAIN EXTENSIONS AT VARIOUS LOCATIONS IN, BY AND FOR THE BOROUGH OF SADDLE RIVER, IN THE COUNTY OF BERGEN, NEW JERSEY TO APPROPRIATE THE SUM OF \$4,250,000 TO PAY THE COST THEREOF, 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.

Resolution #61-07 Offered by Council Member Murray
Seconded by Board Member Savarese
Roll Call Vote: AYES, Unanimous

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

ORDINANCE 07-808-C

**AN ORDINANCE TO AMEND CHAPTER 113 ENTITLED
“FIRE PREVENTION”, IN THE CODE OF THE
BOROUGH OF SADDLE RIVER, NEW JERSEY**

Open to the Public: No one from the public wished to be heard.

Resolution #62-07 Offered by Council Member Burke
Seconded by Council Member Re
Roll Call Vote: AYES, Unanimous

ADOPT 2007 MUNICIPAL BUDGET

Open to the Public: No one from the public wished to be heard.

Resolution # 63-07 Offered by Council Member Murray
Seconded by Council Member Savarese
Roll Call Vote: AYES, Unanimous

APPROVAL OF BILLS

Resolution # 64-07 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 Murray
Roll Call Vote: AYES, Unanimous

Explanation of Consent Agenda Items

A. Resolution (s):

R# 65-07 Soil Movement Blk. 2102 Lot 16 70 Twin Brooks Road
R# 66-07 Soil Movement Blk 1606 Lot 2 One Mohegan Trail
R# 67-07 Cancellation of Property Taxes
R# 68-07 Approval of 2007 Salaries
R# 69-07 Tonnage Grant Application

Open to the Public for Consent Agenda Items Only: No one from the public wished to be heard.

COMMITTEE REPORTS

Finance Report: There was no report at this time.

Fire Report: Council Member Re stated that the report was on file with the Borough Clerk for March 2007.

Police Report: Council President Burke stated that the report was on file with the Borough Clerk for March 2007.

Construction & Zoning Enforcement: Council Member Savarese gave the report for March 2007.

Planning Board: Council Member Savarese gave the report for April 2007.

Zoning Board: Council Member FitzPatrick gave the report for March 2007.

Parks and Recreation: Council Member Raia stated that the committee is planning a tour to walk the west portion of Rindlaub Park to see how it ties in with the Exxon property to try and understand how the path should continue.

OPEN TO THE PUBLIC:

Mayor Caruso stated that Borough resident Barbara Spaulding asked the Mayor to speak on her behalf as she could not attend the meeting. She stated that she had a potential tenant for the property on East Allendale Road that was planned to be a museum. She wanted the Council to know that she is opposed to the museum and further stated that it should be rented to obtain revenues. ***Council Member Burke stated that the Borough is not in the rental business and that is not the reason the property was purchased.***

UNFINISHED AND NEW BUSINESS:

Council Member Murray requested that Borough Engineer Spence distribute the map that he used to outline the water line progress to the Council Members. He further asked if there are going to be stages for the work to be accomplished and Borough Engineer Spence stated that there are not but that the work is planned to get done in the most efficient manner.

Council Member Raia stated that he feels that the governing bodies should be commended for their diligent work on the water safety issue in the Borough of Saddle River. He suggested that a press release be put on the website to make the public aware of the magnitude of this progress.

Council Member Murray asked if we can determine the ratings with respect to insurance for homes, now that the water situation has been modified. Administrator Cuccia stated that the applications can be filed with the ISO but it would take some time.

Council Member Re stated that he would like to applaud Council Member Raia's comments regarding the water project.

RESOLUTION FOR CLOSED SESSION

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

Resolution # 70-07 was offered by Council Member FitzPatrick
Seconded by Council Member Raia
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

P/MINMCapril07