
**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF SADDLE RIVER
HELD MAY 21, 2007**

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: At this time, Carol Weinberg discussed the status of Saddle River Day scheduled on June 2, 2007. It is planned to be a New York City street fair theme and she explained the activities of the day in detail.

WORK SESSION:

MAYOR CARUSO:

Report on Litigation by Upper Saddle River against the Town of Ramapo: Mayor Caruso stated this was discussed at the Northwest Bergen Mayor's Association and there was 100% support as it effects the entire aquifer. He further stated that Upper Saddle River Mayor Ken Gabbert suggested that the residents that live right on the river give a statement discussing the impact that the pollution has on their property.

A joint resolution by each community to put some pressure on the DEP in this matter. He further stated that the proposed Yeshiva to be built in the town of Ramapo will severely exacerbate the problem.

JIF: Mayor Caruso stated that it is important for the Borough of Saddle River to insure that anyone coaching a sport is appropriately certified to avoid any liability in the event of an accident. Council Member Raia stated that it is important that all coaches are identified and their certifications are checked and deemed to be current. We are not the lead agency and therefore, do not have possession of the certifications.

A discussion continued regarding the resolution on the litigation by the Borough of Upper Saddle

River against the Town of Ramapo. A motion to include this resolution in the Consent Agenda was offered by Council Member Re and Seconded by Board Member FitzPatrick.

Administrator Cuccia:

Administrator Cuccia stated that, during the recent storm, all of the emergency services in the Borough were to be commended for their hard work.

Burning Hollow Water Main Extension: Administrator Cuccia stated that he and Borough Engineer Spence met with the DEP in Trenton to discuss the funding of the hook ups and are currently working on cost estimates for single family homes. In addition, they are prepared to fund part of the on-going testing in Burning Hollow. The current estimate is approximately \$6500 per home.

Filming at 73 East Saddle River Road: Administrator Cuccia stated that filming at 73 East Saddle River Road is scheduled to take place on May 24 and May 30, 2007.

COUNCIL REPORTS:

Council Member FitzPatrick stated that the plans for Memorial Day are underway for May 28, 2007 and outlined the activities planned.

Council Member Savarese explained the two soil movement resolutions in the Consent Agenda. Steven Sweeney's resolution was explained in detail by Borough Engineer Spence.

In addition, Council Member Savarese stated that there have been many inquiries about the situation at 77 East Saddle River Road, and Administrator Cuccia stated that pictures were taken and it is currently in litigation.

Council Member Savarese also asked about the reduction of insurance rates where hydrants are present and Administrator Cuccia explained that it is at the discretion of each individual insurance company..

In addition, Council Member Savarese asked about the traffic situation on West Saddle River Road and East Allendale Road at rush hour. Chief McWilliams stated that he would look into the situation with the traffic lights.

Council Member Murray stated that the financial report was in good shape. In addition, he commended all involved with their dealings with the DEP.

Council Member Raia reiterated that the traffic problem is becoming serious in the Borough as well. Mayor Caruso stated that the development of Woodcliff Lake plays a big role in the increasing traffic situation and the synchronization of the lights would be helpful.

Council Member Raia also addressed the problem with construction projects in the Borough that are not completed within an acceptable amount of time. Administrator Cuccia explained that the owner is taxed based on what the proposed assessment after a home is 50% complete will be so that should usually encourage expediency.

Council Member FitzPatrick stated that some of the people currently building are landscaping at the beginning of the project so that the neighbors are provided with some screening.

Council Member Re commended all of the emergency response teams for their efforts during the recent storm.

BOROUGH ATTORNEY:

Attorney Norton discussed pond maintenance and addressed an issue with a pond in the Borough that is maintained by several families. One family is not paying their share and Attorney Norton suggested that a lien be put on the property for monies owed.

Mayor Caruso asked about the traffic light on Boroline Road and Borough Engineer Spence explained the situation. The bond has expired and the Borough is currently waiting for the County to reimburse monies spent. Mayor Caruso stated that the students at Wandell School made a very important presentation about the importance of the traffic light and suggested that perhaps they should repeat it.

Council Member Burke asked about the possibility of asking everyone located near that corner to write letters and submit them to the County to reiterate how dangerous this corner is. Mayor Caruso stated that there have been so many promises about the completion of this project that perhaps it is time to send copies of these letters to the County.

Administrator Cuccia stated that the Mayor and Council are in receipt of a draft ordinance regarding the use of temporary storage containers on properties in the Borough.

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

ORDINANCE 07-810-C

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 199, ENTITLED "TRAILERS", IN THE CODE OF THE BOROUGH OF SADDLE RIVER

Resolution #71-07 Offered by Council Member Savarese
Seconded by Board Member Murray
Roll Call Vote: AYES, Unanimous

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

ORDINANCE 07-809-M

A 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.

Open to the Public: Joe Pera, 16 Old Farms Road stated that he does not object to the ordinance but he stated that it tends to take away from the rural oasis that Saddle River once was. He further stated that he feels that the entire Borough should be entitled to have access to city water.

Resolution #72-07 Offered by Council Member Murray
Seconded by Council Member Burke
Roll Call Vote: AYES, Unanimous

APPROVAL OF BILLS

Resolution # 73-07 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 Re
Roll Call Vote: AYES, Unanimous

Explanation of Consent Agenda Items

- A. **Approval of Minutes: Regular Meeting of 3/19/07 and 4/16/07**
- B. **Resolutions:**
 - R# 74-07 **Lawsuit with Upper Saddle River vs. Town of Ramapo**
 - R# 75-07 **Soil Movement Blk 2003 Lot 3 16 Old Woods Road**
- C. **Approval of K of C Raffle – June 26, 2007**

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

The following soil movement resolution was removed from the Consent Agenda and voted on separately.

Soil Movement – Blk. 2101 Lot 21, Steven Sweeney, 21 Twin Brooks Road.

Resolution # 76-07 Offered by Council Member Savarese

Seconded by Council Member Raia

Roll Call Vote: AYES: Raia, Savarese, Murray NAYS: FitzPatrick, Burke, ABSTAIN: Re

This applicant is currently in litigation with the Zoning Board of Adjustment in the Borough of Saddle River. Attorney Norton explained to the Mayor and Council that the soil movement application that the Planning Board voted on is separate and apart from the litigation and should be voted on as such. Council Member Raia asked Borough Engineer Spence for clarification regarding the soil movement and its impact on any encroachments on the property and he reiterated that it would not have any impact.

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 April 2007.

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

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

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

Zoning Board: Council Member FitzPatrick gave the report for April and May 2007.

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

OPEN TO THE PUBLIC:

Carol Weinberg, 14 Arrowhead Lane stated that she wanted to commend the emergency response teams in the Borough for their hard work during the storm of the previous week.

Joe Pera, 16 Old Farms asked why the Borough Department of Public Works is maintaining the Exxon property if it is privately owned. Council President Burke stated that the property is owned by the Borough and Attorney Norton explained the condemnation of this property and the pending lawsuit. Mr. Pera reiterated that we should not be spending tax payer's money to maintain this property.

UNFINISHED AND NEW BUSINESS:

Council Member FitzPatrick asked about the signage at the Colonial Shopping Center and Administrator Cuccia stated that he does not have the rendering to date and will follow up.

Council Member Savarese asked for clarification regarding Council President Burke's statement about changes in zoning and increased commercial development that was cited in their political literature. Council President Burke stated that this is his opinion, and conclusions have been drawn based on his comments in Council Meetings. Mayor Caruso stated that Council Member Savarese wanted to clarify his record as a Council Member.

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

Respectfully submitted,

Marie Elena Macari
Borough Clerk