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

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

**ABSENT:**

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**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, Mayor Caruso stated that there were no awards and ceremonies however he wanted to address several letters he received from residents praising the actions of the Police Department through several incidents. He reiterated that the Borough of Saddle River is very fortunate to have such an outstanding Police Department.

**WORK SESSION:**

**MAYOR CARUSO:**

**Light on Boroline Road:** Mayor Caruso stated that Borough Engineer Charlie Wilde informed him that the County awarded a contract to install the light on Boroline Road. He further stated that the action that they took with the County has finally paid off.

**NJ Legislation – Tax Relief:** Mayor Caruso stated that he distributed a copy of a letter from the Republican Legislature outlining a tax relief proposal and asking for support. He stated that he would like to review this and decide if a resolution should be passed to support this.

**August Council Meeting:** Mayor Caruso stated that, in the past, the August meeting has been suspended and a resolution was added to the Consent Agenda to cancel the August 2007 meeting of the Mayor and Council of the Borough of Saddle River.

In addition, Mayor Caruso stated that the bid award for the Chestnut Ridge water line will be added to the Consent Agenda.

At this time, Borough Engineer Spence discussed the bid for the Chestnut Ridge water line and stated that the contract was awarded to D.R. Mullen.

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**ADMINISTRATOR CUCCIA:**

**Report of Examination of Financial Statements 2006:** Administrator Cuccia stated that he distributed a copy of the audit report for 2006. Council Member Murray stated that the threshold has increased to \$25,000 and asked specific questions about the audit, which Administrator Cuccia answered. Council Member Raia asked several questions regarding the audit which Administrator Cuccia answered as well.

**Third Round COAH Regulations:** Mayor Caruso stated that the Borough of Saddle River needs to continue to monitor what they are doing and it appears that the situation is status quo at this time.

**Request from AT&T:** Administrator Cuccia stated that AT&T has requested to install additional fiber optics in the Borough. Council Member Raia asked about the possibility of having lines installed underground and Administrator Cuccia stated that he would like AT&T to come and give a presentation which would include this topic.

**For discussion non-conforming uses and structures:** Administrator Cuccia stated that he distributed a copy of an ordinance regarding non-conforming uses and he asked the Council to discuss this.

Committees to discuss this ordinance are in place and will continue to review it.

**COUNCIL REPORTS:**

Council Member Savarese explained the soil movement resolution in the Consent Agenda.

Council Member Murray stated that the financial report was in good order.

**BOROUGH ATTORNEY**

Attorney Norton addressed the FAA presentation he attended regarding the re-routing of planes over Bergen County and the noise impact it would have on the area. He outlined the program for the Mayor and Council and stated that he feels that we would be less affected than other towns near the Hudson River corridor. He further stated that he felt that Teterboro Airport would have a greater impact on this area.

Mayor Caruso stated that, not only is this situation a noise issue, it is also a health risk as these aircraft create air pollution as well.

Council Member Raia wanted to learn specifically how much of an increase in the noise level the Borough would be experiencing and Attorney Norton stated that he believed it would be insignificant.

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

There were none.

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

There were none.

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## **APPROVAL OF BILLS**

**Resolution # 86-07** 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 Raia  
Roll Call Vote: AYES, Unanimous

### **Explanation of Consent Agenda Items**

- A. Approval of Minutes: Regular Meeting of 6/18/07 as corrected.**
- B. Resolutions:**

- R# 87-07 Annual Report of the Audit 2006**
- R# 88-07 Soil Movement – Blk. 1808 Lot 5 – Victor Zatti**
- R# 89-07 Bid Award for Chestnut Ridge Water Main Extension to D.R. Mullen**
- R# 90-07 Authorization to Pay Bills in August**

### **Open to the Public for Consent Agenda Items Only:**

Alan Post, 15 Dogwood Dr. asked about the AT&T presentation and Mayor Caruso stated that this is for Consent Agenda Items only.

Joe Pera, 16 Old Farms Road asked about the amount of the contract for the Chestnut Ridge water line and was informed that it was \$398,575.50. Borough Engineer Spence outlined the time frame of the construction.

## **COMMITTEE REPORTS**

**Finance Report:** Council Member Murray stated that the financial report for the month of June was in order.

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

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

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

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

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

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

**OPEN TO THE PUBLIC:**

Alan Post, 15 Dogwood Trail asked about the Verizon presentation and Administrator Cuccia stated that it would take place in a public meeting forum with all residents encouraged to attend. Mr. Post also inquired about delinquent taxes and how it is handled in the Borough.

Jim FitzPatrick, 60 Chestnut Ridge Rd. stated that the Zoning Board of Adjustment would not have heard the application regarding 140 East Saddle River Road, Tonor, LLC, had he known there was an engineering discrepancy, brought to his attention by Joe Pera, Chairman of the Planning Board. The application for this subdivision was denied by the Planning Board.

Mr. FitzPatrick addressed the meeting held by the FAA regarding the noise impact in the Borough and he inquired about including both Teterboro and Westchester Airports. In addition, he asked about the restrictions about helicopters. He stated that, as we are coming up on an election year, perhaps some of these representatives should be asked about these issues, as they are very important.

Mr. FitzPatrick stated that he feels that the current garage door ordinance is very restrictive on creativity and is adding to lot coverage. He urged the Mayor and Council to reconsider this ordinance regarding the garage doors not permitted to face the street.

The discussion regarding the property at 140 East Saddle River Road came up again and Mr. FitzPatrick explained that the applicant was attempting to switch the use from the primary residence to the accessory building, which is not in compliance.

Alan Post, 15 Dogwood Drive asked about what constitutes a knock down as opposed to a renovation and Mayor Caruso stated that it is currently being addressed.

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**UNFINISHED AND NEW BUSINESS:**

Council Member Fitzpatrick stated that she wanted to commend all of the people who worked on the clean up of the Vichlich property on East Saddle River Road.

Council Member Savarese updated the Mayor and Council on the progress of the Bishop House construction. Borough Engineer Spence also discussed this issue and Council Member Burke stated that he felt that it was not the Borough's responsibility to fund any of the improvements, including having it hooked up to Borough water. Mayor Caruso stated that perhaps the Borough should consider renegotiating the lease for the Bishop House and Council Member Raia asked to see a copy of this lease.

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

Respectfully submitted,

Marie Elena Macari  
Borough Clerk

/MINMCjuly07