

Minutes of the Regular Meeting of the Mayor and Council held on Thursday, April 6, 2017 at 8:00 p.m. at the Upper Saddle River Borough Hall.

Moment of Silence and Pledge of Allegiance was led by Mayor Minichetti.

On behalf of the Joint Insurance Fund, Risk Management Consultant Art Caughlan presented the Borough with the Gold Safety Award and a check in the amount of \$2,000.

Pursuant to the Open Sunshine Act P.L. 1975, c. 231, proper notice of this meeting has been provided by submitting appropriate notice to The Ridgewood News and The Record on December 15, 2016 by Fax and mail in which the time, place and purpose of the meeting was set forth.

RULE 1. Roll Call:

Mayor	Joanne L. Minichetti	Present
Councilman	Roger DeBerardine	Present
Councilman	Steven DiMartino	Present
Councilman	Jonathan Ditkoff	Present
Councilman	Vincent M. Durante	Present
Councilwoman	Joanne Florio	Present
Councilman	Thomas Hafner	Present

RULE 2. Minutes of Executive, Closed and Regular Meetings of March 2, 2017 were delivered to all members of the governing body and posted on the bulletin board and were unanimously approved following a motion by Councilman Durante, seconded by Councilwoman Florio:

RULE 3. Borough Clerk's Report:

The Borough Clerk's office received the following fees for the month of March, 2017 and deposited them with the Collector/ Treasurer:

Landscape Permits	\$ 418.00
Garage Sales	6.00
Copies	<u>21.05</u>
Total	\$ 445.05

The Borough Clerk's office issued 9 licenses for the month of March. \$10.80 was forwarded to the NJ Department of Health for the Pilot Clinic and Animal Control Fund.

Proof of Publications were received from The Bergen Record for:

- 1) Intro. & adoption Ord. #1-17 - Construction Code, Uniform
- 2) Intro. & adoption Ord. #2-17 - Noise
- 3) Intro. & adoption Ord. #3-17 - Storage Facilities
- 4) Intro. & adoption Ord. #4-17 - Licenses
- 5) Introduction of Ord. #5-17 - Zoning
- 6) Notice to Bidders - 2017-2018 Turf Program
- 7) Notice to Bidders - Solid Waste Collection
- 8) Notice to Bidders - Collection of Recyclable Material

Police: Report for the month of March was received and filed.

DPW: Report for the month of March was received and filed.

Library: Report for the month of March and Minutes of 2/15/17 were received and filed.

Youth Guidance Council: Minutes of 2/10/17 and 3/10/17 were received and filed.

Borough Official's Report:

Construction Code Official: Report for the month of March was received and filed.

Municipal Court: Report for the months of February & March were received and filed.

RULE 4. Communications, Petitions & Bills:

BCUA Minutes of February 21, 2016

PSE&G public hearing notice re rate change.

Resolutions from Montvale, Teaneck, Saddle River.

Councilman DeBerardine presented bills in the amount of \$ 4,366,076.70:

A motion by Councilman DeBerardine, seconded by Councilman DiMartino to pay bills in the amount of \$4,366,076.70 was unanimously approved by all Council members present. Mayor Minichetti declared bills approved for payment and ordered checks drawn.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

RULE 5. Unfinished Business:

Councilman Ditkoff read for the second time: (Ord. #5-17)

"AN ORDINANCE TO AMEND CHAPTER 150 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED ZONING".

Mayor Minichetti opened the public hearing; there being no comments, hearing was closed.

Resolution by Councilman Ditkoff, seconded by Councilman Hafner:

"AN ORDINANCE TO AMEND CHAPTER 150 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED ZONING" was introduced at a Regular meeting of the Mayor and Council on March 2, 2017 and passed its first reading. After public hearing held on April 6, 2017, it passed its second and final reading and was duly adopted by the Council and approved by the Mayor and shall take effect when published according to law.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

RULE 6. New Business:

CONSENT AGENDA: All items listed with an asterisk (*) are considered to be routine and non-controversial by the Council and shall be so approved. There will be no separate discussion of these items unless a Council member or citizen so requests, in which case the item will be considered in its normal sequence.

A motion to approve Consent Agenda by Councilman Hafner, seconded by Councilwoman Florio was unanimously approved by all Council members present.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

*Resolution #48-17

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments and Recommendations

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments and Recommendations

as evidenced by the Group Affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit: R.S. 54:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in additions shall forfeit his office".

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Upper Saddle River, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

*Resolution #49-17

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Upper Saddle River has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2017 budget year, so now therefore;

BE IT RESOLVED, by the Borough Council of the Borough of Upper Saddle River that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures

- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A.40A:4-45.3 et seq. are fully met (Complies with the "CAP" law.)

3. That the budget is in such form, arrangement, and content as required by Local Budget Law and N.J.A.C.5:30-4 and N.J.A.C.5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate, and correctly stated.
- b. Items of appropriation are properly set forth.
- c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-45.3 et.seq. shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES.

Certification of Approved Budget:

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

*Resolution #50-17

RESOLUTION TO SUPPORT SENATE BILL S-211 AND ASSEMBLY BILL A-3798
SCHOOL BUS STOP ARM CAMERAS

WHEREAS, Senate Bill S-211 and Assembly Bill A-3798 would allow school districts and law enforcement to utilize bus safety cameras as a means to deter dangerous driving and help keep children safe; and

WHEREAS, Senate Bill S-211 and Assembly Bill A-3787 would authorize school districts and law enforcement to deploy school bus arm safety cameras on the exterior of school buses; and

WHEREAS, this technology will allow school buses to capture videos of drivers illegally passing stopped buses and permit law enforcement to issue citations to drivers breaking the law; and

WHEREAS, this program would be funded by violators and would operate at no-cost to school districts or local law enforcement;

NOW, THEREFORE, BE IT RESOLVED the Governing Body of the Borough of Upper Saddle River does hereby support Senate Bill S-211 and Assembly Bill A-3787 which would deter dangerous driving and help keep children safe when loading or unloading from their school bus.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Senator Gerald Cardinale, Assemblywoman Holly Schepisi and Assemblyman Robert Auth.

*Resolution #51-17

WHEREAS, N.J.S.A.40A:4-19 provides that, where any contract, commitments or payments are to be made prior to the final adoption of the 2017 budget, temporary appropriations should be made for the purpose and the amounts required in the manner and time therein provided; and

WHEREAS, the total appropriation in the 2016 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund and public assistance in said budget, is the sum of \$9,662,076; and

WHEREAS. One quarter of the appropriations in the 2016 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund and public assistance in said budget, is the sum \$2,415,519.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Upper Saddle River in the County of Bergen and State of New Jersey that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

TEMPORARY APPROPRIATIONS 2017

Finance, OE	\$30,000	Tax Collector, OE	\$ 1,500
Legal, S&W	10,000	Engineering, OE	5,000
Other Ins.	85,000	Police, OE	5,000
Fire, OE	500	Fire Prev., OE	4,000
DPW, OE	50,000	Recycling, OE	117,000
Buld.&Grnds., OE	2,500	Animal Control, OE	8,000
Bd. of Health, OE	10,000	Recreation, OE	5,000
Library Maint.	10,000	Reserve LOSAP	20,000
OSHA, OE	3,000	Mun. Alliance	3,000

A&E, S&W	28,000	Finance, S&W	11,000
Tax Assessor, S&W	4,000	Legal Services, S&W	4,800
Bldg. Dept., S&W	17,000	Police, S&W	127,000
Ambulance Corp, S&W	4,500	DPW, S&W	55,400
Recreation, S&W	5,700	Court, S&W	6,300
Social Security	38,000		

*Resolution #52-17

WHEREAS, municipalities do not have the resources to provide court mandated housing to comply with the Mount Laurel doctrine without proper funding; and

WHEREAS, lawsuits increase housing four-fold through court mandates and without an affirmative defense municipalities can do nothing to stop growth and sprawl, costing millions of dollars outside of local budgets; and

WHEREAS, property taxes must be raised exponentially to pay the costs associated with court mandates and, therefore, population, further overburdening taxpayers; and

WHEREAS, the cumulative impact of years of unfunded court mandates has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, expected state population growth of .3 percent does not provide sufficient demand to justify court-mandated 30 percent housing supply increase; further congesting out state; and

WHEREAS, New Jersey is already the most densely populated state in the country with 1,195 persons per square mile; and

WHEREAS, the quality of life and public welfare in this municipality will be reduced, negatively impacting infrastructure, water and sewer capacities; school class sizes and school services; municipal services such as volunteer and staffed ambulatory services and fire departments, police departments, public transportation and traffic; and

WHEREAS, the lack of affordable housing and rentals is not due to a lack of units, rather it stems from residents paying property taxes that are unaffordable and increasing by roughly \$700 million annually; and

WHEREAS, the state of New Jersey should relieve the burden of unfunded court mandates and provide statewide parity and predictability in regard to municipal affordable housing obligations; and

WHEREAS, the Assembly is urged to pass Assembly Bill No. 4666 imposing an end-of-year moratorium on all affordable housing litigation; and Assembly Bill No. 4667 establishing the "Affordable Housing Obligation Study Commission" to assist in finding solutions to the affordable housing crisis foisted upon municipalities by the end of the year; and

WHEREAS, it is the responsibility of the state and legislature to assist municipalities; and

WHEREAS, the time has come to reasonably address affordable housing needs in New Jersey to preserve the integrity of the state and its quality of life;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Upper Saddle River urges the state and legislature to aid municipalities over-burdened by court-mandated affordable housing; and BE IT FURTHER RESOLVED, that we enthusiastically must reach a solution to affordable housing in New Jersey; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Chris Christie, Lt. Governor Kim Guadagno, Dept. of Community Affairs Commissioner Charles Richman, NJ Senate President Steve Sweeney, NJ Senate Republican Leader Thomas Kean, Jr., NJ Assembly Speaker Vincent Prieto, NJ Assembly Republican Leader Jon Bramnick, State Senator Gerald Cardinale, Assemblywoman Holly Schepisi, Assemblyman Robert Auth and to the New Jersey League of Municipalities.

*Resolution #53-17

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Edward and Deborah Lagomarsino v. Borough of Upper Saddle River", Docket No. 007359-2016, which matter involves an appeal of the assessment on certain premises known as Block 1113, Lot 2.06 and being more commonly known as 22 Sunflower Drive, for the 2016 tax year; and

WHEREAS, the parcel is assessed for the 2016 tax year at \$1,342,100.00; and

WHEREAS, said appeal was filed to contest the assessment on the property for the 2016 tax year.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby authorize settlement of the above-captioned appeal based upon the following terms and conditions:

1. The Stipulation of Settlement shall provide that the assessment for the 2016 tax year on said parcel shall be established at \$1,220,000.00.

2. Plaintiffs agree to waive interest due on the refund in connection with this settlement. In addition, any refund due the property owners shall be payable in the form of a cash refund or credit against future taxes due for the first quarter following the entry of judgment, at the option of the Borough.

BE IT FURTHER RESOLVED that the Borough attorney, Robert T. Regan, Esq., be and is hereby authorized and directed to execute any and all documents necessary to effectuate the terms of the within settlement.

*Resolution #54-17

WHEREAS, N.J.S.A.40A:5-29 permits a local unit to accept bequests and gifts made to it; and

WHEREAS, the Policemen's Benevolent Association, Local 218 has offered to donate \$2,500.00 for the purchase of new duty weapons and

WHEREAS, these items will be utilized by the Upper Saddle River Police Department;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Upper Saddle River hereby gratefully accepts this generous gift; and

BE IT FURTHER RESOLVED, that a letter expressing our gratitude be sent to the Policemen's Benevolent Association, Local 218.

*Resolution #55-17

Resolution Supporting the *2017 UDrive. UText. UPay. Distracted Driving Crackdown* - April 1 - 21, 2017

Whereas, distracted driving is a serious, life-threatening practice that is preventable; and

Whereas, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

Whereas, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

Whereas, in 2014 alone distracted driving-related crashes resulted in 3,179 deaths and 431,000 injuries on our nation's roads; and

Whereas, in New Jersey distracted driving was listed as a contributing circumstance in more than 800,000 crashes between 2010-2014; and

Whereas, the State of New Jersey will participate in the nationwide *Distracted Driving 2017 Crackdown* from April 1 - 21, 2017 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

Whereas, the national slogan for the campaign is *UDrive. UText. UPay*; and

Whereas, a reduction in distracted driving in New Jersey will save lives on our roadways;

Therefore, be it resolved that the Mayor and Council of the Borough of Upper Saddle River hereby declares its support for the *Distracted Driving 2017 Crackdown* both locally and nationally from April 1 - 21, 2017 and pledges to increase awareness of the dangers of distracted driving.

*Resolution #56-17

WHEREAS, the following Agreements have been prepared between the Borough and Porven Real Estate, Inc. ("Porven"):

A. Joint Service Agreement between Porven and the Borough ("the Agreement").

B. Contract For Sale of Effluent Flow Capacity ("the Contract"); and

WHEREAS, the Borough is the owner of Lot 4.02 in Block 1002 and Porven is the owner of Lot 4.01 in Block 1002; and

WHEREAS, the Contract provides for the sale by Porven to the Borough of 15,000 gallons per day of Porven's daily flow allocation as provided in the 1979 Agreement between the Borough and Ramsey commonly known as the "Ten Cees Agreement"; and

WHEREAS, the Contract would permit the Borough to use the 15,000 gallons per day of Porven's daily flow allocation applicable to Lot 4.01 by the Borough for such use as the Borough deems appropriate, including any inclusionary development or affordable housing development at any location in the Borough; and

WHEREAS, the Contract provides for mutual easements pertaining to both the Porven and Borough property (Lot 4.01 and Lot 4.02); and

WHEREAS, the Agreement provides, in addition to the conveyance of 15,000 gallons per day by Porven to the Borough for such use as the Borough deems appropriate including, but not limited to, allocation for any inclusionary or affordable housing development for the sharing of certain costs relating to site improvements pertaining to projects proposed by the parties on Lots 4.01 and 4.02; and

WHEREAS, under the Agreement, the Borough has agreed to contribute thirty-eight (38%) percent of the cost of engineering services in connection with certain construction, costs and improvements relating to Porven's commercial project on Lot 4.01 and an affordable housing project proposed by the Borough on Lot 4.02; and

WHEREAS, both the Contract and Agreement will assist the Borough in development of affordable housing, both on Lot 4.02 and elsewhere within the Borough.

NOW THEREFORE BE IT RESOLVED, that Mayor Joanne L. Minichetti and Borough Clerk Rose Vido be and are hereby authorized to execute the Agreement and Contract on behalf of the Borough.

*Resolution #57-17

Resolution of Support Authorizing the Sustainable Jersey® Grant funded by PSEG.

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Upper Saddle River strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Upper Saddle River is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants funded by PSEG;

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of Upper Saddle River has determined that Upper Saddle River should apply for the aforementioned Grant; and

BE IT FURTHER RESOLVED, that the Mayor and Council of Upper Saddle River, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant funded by PSEG.

*Resolution #58-17

USER FRIENDLY MUNICIPAL BUDGET OF THE BOROUGH OF UPPER SADDLE RIVER,
COUNTY OF BERGEN, NEW JERSEY FOR THE FISCAL YEAR 2017

BE IT RESOLVED that the following statements of revenues and appropriations constitutes the Municipal Budget of the Borough of Upper Saddle River for the year 2017; and

BE IT FURTHER RESOLVED that said budget be published in the April 11, 2017 issue of The Record; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Governing body of the Borough of Upper Saddle River does hereby approve the User Friendly Municipal Budget for the year 2017 in the amount of \$12,050,186.

*Ordinance #6-17 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14) FOR THE CALENDAR YEAR 2017.

*Authorize Borough Clerk to seek bids for 2017 Road Improvement project.

Councilman DeBerardine read for the first time: (Ord. #7-17)

"AN ORDINANCE TO AMEND ORDINANCE #3-17 ENTITLED AN ORDINANCE ESTABLISHING REGULATIONS GOVERNING TEMPORARY STORAGE FACILITIES AND REQUIRING THE ISSUANCE OF A PERMIT FOR THEIR PLACEMENT ON PROPERTY."

Resolution by Councilman DeBerardine, seconded by Councilman Durante:

"AN ORDINANCE TO AMEND ORDINANCE #3-17 ENTITLED "AN ORDINANCE ESTABLISHING REGULATIONS GOVERNING TEMPORARY STORAGE FACILITIES AND REQUIRING THE ISSUANCE OF A PERMIT FOR THEIR PLACEMENT ON PROPERTY" was introduced at a Mayor and Council meeting on April 6, 2017 and passed its first reading and will be considered for final passage at a meeting of the said Mayor and Council to be held on May 4, 2017 at 8:00 PM at the Borough Hall, 376 W. Saddle River Road, Upper Saddle River, NJ, at which time and place all persons interested will be given an opportunity to be heard concerning same.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

Councilman Durante read for the first time: (Ord. #8-17)

"AN ORDINANCE TO AUTHORIZE THE PURCHASE OF CERTAIN REAL PROPERTY BEING A PORTION OF BLOCK 601 AS DEPICTED ON THE TAX ASSESSMENT MAP".

Resolution by Councilman Durante, seconded by Councilman DeBerardine:

"AN ORDINANCE TO AUTHORIZE THE PURCHASE OF CERTAIN REAL PROPERTY BEING A PORTION OF BLOCK 601 AS DEPICTED ON THE TAX ASSESSMENT MAP" was introduced at a Mayor and Council meeting on April 6, 2017 and passed its first reading and will be considered for final passage at a meeting of the said Mayor and Council to be held on May 4, 2017 at 8:00 PM at the Borough Hall, 376 W. Saddle River Road, Upper Saddle River, NJ, at which time and place all persons interested will be given an opportunity to be heard concerning same.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

Resolution #59-17 by Councilman DiMartino, seconded by Councilman Durante:

"MUNICIPAL BUDGET OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF BERGEN, NEW JERSEY FOR THE FISCAL YEAR 2017".

BE IT RESOLVED, that the following statement of revenues and appropriations shall constitute the Municipal Budget of the Borough of Upper Saddle River for the year 2017;

BE IT FURTHER RESOLVED, that said budget will be published in the April 11, 2017 issue of The Record and that a hearing on the Budget will be held at the Municipal Building, 376 west Saddle River Road, Upper Saddle River, NJ on May 4, 2017 at 8:00 pm or as soon thereafter as the matter may be reached.

The Governing Body of the Borough of Upper Saddle River does hereby approve the Municipal Budget for the year 2017 in the amount of \$12,050,186.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

RULE 7. Public Comments:

Mr. Richard Medina, 295 Lake Street, asked the Council to support a Resolution opposing the installation of two pipelines by Pilgrim Pipeline which he said has the potential to negatively affect the Ramapo River and Aquifer system causing harm to the water supply for other towns. Mayor Minichetti said the Council will offer a supporting resolution at the May 4th meeting. Mr. Median also voiced his objection to the application before the Ramsey Planning Board to construct a gun range citing increased volume of traffic and risk in transportation of firearms.

Mr. Eric Friis, 4 Sparrowbush Road, asked the Council to support the pending legislation offered by Assemblywoman Holly Schepisi asking there be a moratorium on all affordable housing litigation until the end of the year. Mr. Regan pointed out that on tonight's agenda, Resolution #52-17 supports the legislation. In response to Mr. Friis' suggestion that the Council continue to fight the Mack Cali Settlement Agreement, Mr. Regan said the Settlement Agreement was approved by Federal District Court and Superior Court which based on our professionals opinion, offered the best alternatives and told Mr. Friis he had an opportunity to object to the Settlement Agreement at the Fairness Hearing held in February. Several Council members voiced their views that the Settlement Agreement was the best decision for all of Upper Saddle River. Borough Engineer Kevin Boswell responded to Mr. Friis' concern regarding the contaminated soil at the Apple Ridge development and noted that a Health Officer is available at all times and pointed out there are on-site monitors. Mr. Boswell submitted an "Environmental Health & Safety Plan for Apple Ridge Country Club and Borough of Upper Saddle River" which is available to the public.

Ms. Kelly Peters, 22 Rambling Brook Road, asked about the status of a house located at the intersection of Hillside Avenue and East Saddle River Road in Rockland County. Mayor Minichetti said she attended a Ramapo Review Committee meeting with Mr. Preusch and Mr. Regan and the applicant was asked to return with an actual plan.

Ms. Lisa Glick, 21 Ripplewood Drive, said vehicles are speeding on this street making walking her dog dangerous and was concerned that the Apple Ridge development would produce an increase in traffic. Councilman DeBerardine assured her that the Planning Board will address the traffic report when presented to the Board.

Mr. Robert Campanelli, 148 Carlough Road, asked whether the contaminated soil that is being disturbed at Apple Ridge would affect the surrounding homes. In response, Mr. Boswell pointed out that surface arsenic has no affect on wells and that the Health & Safety Plan calls for blending and control stabilization of the soil, with continuous daily on-site monitoring. In regard to 156 Carlough Road, Mr. Boswell said a DEP permit was obtained 4 years ago with permission to fill in and remove trees. He said the current plans call for a 2 lot subdivision; one existing home and one new home.

Ms. Janine Yatko, 12 Robin Ridge Road, said there is only 10 acres of parkland in the Borough and asked what could be built on the Mack Cali property. Mayor Minichetti said there are no current plans for the 9 acres, but that it can be used for various uses such as a community center, borough hall, library, and recreational purposes and expressed her love for the town.

Ms. Whitney Stern, 12 Sleepy Hollow, complained about the danger in walking due to speeding vehicles.

RULE 8. Adjournment:

A motion to adjourn by Councilman Durante, seconded by Councilman DiMartino was unanimously approved by all Council members present. (Meeting adjourned at 9:37 p.m.)

Respectfully submitted,

Rose Vido, RMC
Borough Clerk