

Minutes of the Regular Meeting of the Mayor and Council held on Thursday, July 9, 2015 at 8:00 p.m. at the Upper Saddle River Borough Hall.

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

Pursuant to the Open Sunshine Act P.L. 1975, Chapter 231, proper notice of this meeting has been provided by submitting appropriate notice to The Ridgewood News and The Record by fax, mail on June 29, 2015 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	Absent
Councilman	Jonathan Ditkoff	Absent
Councilman	Vincent M. Durante	Present
Councilwoman	Joanne Florio	Present
Councilman	Thomas Hafner	Present

RULE 2. Minutes of Executive, Closed and Regular Meetings of June 4, 2015 and Special Meeting of June 29, 2015 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 Councilman DeBerardine.

RULE 3. Borough Clerk's Report:

The Borough Clerk's office received the following fees for the month of June, 2015 and deposited them with the Collector/Treasurer:

Liquor Licenses	\$1,008.00
Copies	7.30
Garage Sales	26.00
Peddlers License	10.00
Landscape Permits	10.00
Total	\$1,061.30

The Borough Clerk's office issued 4 dog licenses for the month of June. \$7.80 was forwarded to the NJ Department of Health for the Pilot Clinic and Animal Control Fund.

Proofs of publication were received for the following:

- 1) Adoption of Ord. #5-15 - Streets & Sidewalks
- 2) Adoption of Ord. #6-15 - Capital Improvements
- 3) Introduction of Ord. #7-15 - Parks & Playgrounds
- 4) Introduction of Ord. #8-15 - Fire Prevention
- 5) Resolution #47-15 - Adoption of 2015 Municipal Budget

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

Fire Dept: Report for the month of June was received and filed.

Library: Report for the month of June was received and filed.

Youth Guidance Council: Minutes of May 20 and June 5, 2015 were received and filed.

Borough Official's Report:

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

Other Boards & Commissions:

Municipal Court: Report for the months of May and June were received and filed.

RULE 4. Communications, Petitions & Bills:

Public hearing notice from Montvale re Housing Element/Fair Share Plan.

Public hearing notice from Mahwah re Apple Ridge application.

NWBCUA public hearing notice re Connection fees.

Resolutions from Allendale, Cresskill, Midland Park, Tenafly.

Councilman DeBerardine presented bills in the amount of \$2,268,463.00:

A motion by Councilman DeBerardine, seconded by Councilman Durante to pay bills in the amount of \$2,268,463.00 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, Durante, Florio, Hafner.
Nays: None. Motion approved.

RULE 5. Unfinished Business:

Councilman Durante read for the second time: (Ord. #9-15)

"AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE RELATING TO THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF BERGEN, STATE OF NEW JERSEY adopted on July 3, 2014".

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

Resolution by Councilman Durante, seconded by Councilman DeBerardine:

"AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE RELATING TO THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF BERGEN, STATE OF NEW JERSEY adopted on July 3, 2014" was introduced at a Regular meeting of the Mayor and Council on June 4, 2015 and passed its first reading. After public hearing held on July 9, 2015 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, Durante, Florio, Hafner.
Nays: None. Motion approved.

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, Durante, Florio, Hafner.
Nays: None. Motion approved.

*Resolution #60-15

WHEREAS, application for renewal of an alcoholic beverage license has been received from Atrimec Realty Corp., P O Box 475, Jersey City, New Jersey 07310, and proper fees have been filed with State and local authorities; and

WHEREAS, pursuant to N.J.S.A.33:1-12.39, the New Jersey Division of Alcoholic Beverage Control Commission has granted Special Ruling N.J.S.A.33:1-12.39 for the 2015-2016 license term;

NOW, THEREFORE, BE IT RESOLVED, that the following alcoholic beverage pocket license be renewed effective July 1, 2015 to June 30, 2016, subject to a special condition that no further renewals of this license shall be granted unless the license is being actively used at an approved site on or before June 30, 2016, except if good cause for reconsideration is shown.

License #0263-33-004-008

A Plenary Retail Consumption License is hereby issued to Atrimec Realty Corp., P O Box 475, Jersey City, New Jersey 07310.

*Resolution #62-15

WHEREAS, application for renewal of an alcoholic beverage license has been received from Rudi & Inge, Inc., T/A Saddle River Liquors, 380 Route 17 North, Upper Saddle River, N.J. 07458 and proper fees have been filed with State and local authorities;

NOW, THEREFORE, BE IT RESOLVED, that the following alcoholic beverage license be renewed effective July 1, 2015 to June 30, 2016:

License #0263-44-002-002

A Plenary Retail Distribution License is hereby issued to Rudi & Inge, Inc., T/A Saddle River Liquors, 380 Route 17 North, Upper Saddle River, N.J. 07458.

*Resolution #63-15

WHEREAS, the Upper Saddle River Public Library and the Upper Saddle River Recreation Commission is presenting a concert to be held on July 14, 2015, with a rain date of July 21, 2015; and

WHEREAS, the Mayor and Council have granted a permit for said concert to take place at Lions memorial Park, Block 801, Lot 3; and

WHEREAS, Upper Saddle River Municipal Code 98-6.1B permits the Mayor and Council to suspend the parking regulations within said Park;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Upper Saddle River does hereby suspend the parking regulations which require a permit sticker and/or placard for July 14, 2015 or July 21, 2015.

*Resolution #64-15

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Phillip S. and Tori Kim v. Borough of Upper Saddle River", Docket Nos. 005139-2014 and 004984-2015, which matters involve an appeal of the assessment on certain premises known as Block 104, Lot 10 and being more commonly known as 15 Applewood Drive, for the 2014 and 2015 tax years; and

WHEREAS, the parcel is assessed for the 2014 and 2015 tax years at \$1,738,700.00; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2014 and 2015 tax years.

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 appeal filed for the 2014 tax year shall be withdrawn.

2. The Stipulation of Settlement shall provide that the assessment for the 2015 tax year on said parcel shall be established at \$1,638,700.00.

3. 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.

*(Ord. #10-15) AN ORDINANCE TO AMEND CHAPTER 118 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED "SOIL REMOVAL" was introduced at a Mayor and Council meeting on July 9, 2015 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 August 6, 2015 at 8:00 PM at the Borough Hall, Upper Saddle River, NJ, at which time and place all persons interested will be given an opportunity to be heard concerning same.

Councilwoman Florio read for the first time: (Ord. #11-15)

"AN ORDINANCE TO ESTABLISH REGULATIONS GOVERNING PARKING AT THE UPPER SADDLE RIVER PUBLIC LIBRARY AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF".

Resolution by Councilwoman Florio, seconded by Councilman Durante:

"AN ORDINANCE TO ESTABLISH REGULATIONS GOVERNING PARKING AT THE UPPER SADDLE RIVER PUBLIC LIBRARY AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF" was introduced at a Mayor and Council meeting on July 9, 2015 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 August 6, 2015 at 8:00 PM at the Borough Hall, 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, Durante, Florio, Hafner.
Nays: None. Resolution approved.

Councilman Durante read for the first time: (Ord. #12-15)

"AN ORDINANCE TO AUTHORIZE THE EXCHANGE OF CERTAIN LANDS BY THE BOROUGH OF UPPER SADDLE RIVER AND TO AUTHORIZE THE CONVEYANCE THEREOF IN RETURN FOR OTHER LAND AND TO AUTHORIZE THE EXECUTION OF A CONTRACT AND OTHER DOCUMENTS IN CONNECTION THEREWITH".

Resolution by Councilman Durante, seconded by Councilman DeBerardine:

"AN ORDINANCE TO AUTHORIZE THE EXCHANGE OF CERTAIN LANDS BY THE BOROUGH OF UPPER SADDLE RIVER AND TO AUTHORIZE THE CONVEYANCE THEREOF IN RETURN FOR OTHER LAND AND TO AUTHORIZE THE EXECUTION OF A CONTRACT AND OTHER DOCUMENTS IN CONNECTION THEREWITH" " was introduced at a Mayor and Council meeting on July 9, 2015 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 August 6, 2015 at 8:00 PM at the Borough Hall, 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, Durante, Florio, Hafner.
Nays: None. Resolution approved.

RULE 7. Public Comments: None.

RULE 8. Adjournment:

A motion to adjourn by Councilman DeBerardine, seconded by Councilman Durante was unanimously approved by all Council members present. (Meeting adjourned at 8:10 p.m.)

Respectfully submitted,

Rose Vido, RMC
Borough Clerk