

Minutes of the Regular Meeting of the Mayor and Council held on Thursday, June 5, 2014 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 December 20, 2013 in which the time, place and purpose of the meeting was set forth.

Mr. Sean Bookstaver distributed donations from the Dick Meighan Memorial Run totaling \$14,500 to various local and charitable organizations; scholarships were awarded to high school students Emily Drake and Nicole Miko.

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 May 5, 2014 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 May, 2014 and deposited them with the Collector/Treasurer:

Liquor Licenses	\$936.00
Landscape permits	30.00
Copies	11.50
Garage	18.00
Total	<u>\$995.50</u>

The Borough Clerk's office issued 16 dog licenses for the month of May. \$22.20 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) Resolution #48-14 - Introduction of 2014 Municipal Budget
- 2) Sunshine Notice June 5 meeting
- 3) Notice to Bidders - 2014 Turf Program
- 4) Notice to Bidders - 2014 Turf Program
- 5) Adoption of Ord. #1-14 - Prohibited Acts
- 6) Adoption of Ord. #2-14 - Parks & Playgrounds

- 7) Introduction of Ord. #3-14 - Exceed CAP
- 8) Introduction of Ord. #4-14 - Vacate ROW on Deer Horn Trail

Police: Report for the months of May was received and filed.

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

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

Historic Preservation Commission: Minutes of May 20, 2014 were received and filed.

Youth Guidance Council: Minutes of May 2, 2014 were received and filed.

Borough Official's Report:

Borough Engineer: Report for the month of August was received and filed.

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

RULE 4. Communications, Petitions & Bills:

Verified petition of Rockland Electric Co. for rate change.

NBCUA audit report ending 12/31/13, Minutes of April 16, 2014 and resolution to adjust sewer connection fee.

Resolutions from Westwood, Midland Park, Rutherford, New Milford, Allendale.

Councilman DeBerardine presented bills in the amount of \$4,271,269.78:

A motion by Councilman DeBerardine, seconded by Councilman DiMartino to pay bills in the amount of \$4,271,269.78 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. 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 Councilman Ditkoff was unanimously approved by all Council members present.

*Resolution #56-14

RESOLVED, THAT, 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, 2014 to June 30, 2015:

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 #57-14

Resolution opposing Senate Bill S-1801 and Assembly Bills A-2612 and A-2495 seeking to authorize County Government to Create County Tax Assessment while abolishing Tax Assessment at a Local Municipal Level.

WHEREAS, Senate Bill S-1801 and Assembly bills A-2621 and A-2495, if signed into law, would abolish the office of the tax assessor thereby shifting all tax assessment responsibilities to the County; and

WHEREAS, legislation was passed and signed into law authorizing a countywide pilot assessor program in Gloucester County and an enhanced local assessor pilot program in Monmouth County to study, over several years, the costs/benefits of these new tax assessment system; and

WHEREAS, these pilots have yet to be completed so as to study the cost benefits, if any, of each new assessment system; and

WHEREAS, the cost of these new systems have not been presented to the Mayor and Council of Upper Saddle River proving it to be cost effective and a way to provide overall property tax relief to the taxpayers of Upper Saddle River; and

WHEREAS, the municipal assessor is currently charged with establishing the assessed values of all real property within the corporate boundaries; and

WHEREAS, the municipal assessor and municipal attorney are charged with the defense and settlements of assessed values through the tax appeal process; and

WHEREAS, Senate Bill S-1801 and Assembly Bills A-2612 and A-2495, if signed into law, removes local control of the establishment and defense of the assessed values in the tax appeal process; gives total control of assessments and settlements to County Government, while leaving the full responsibility for any refunds with the municipalities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey objects to and opposes the enactment of Senate Bill S-1801 and Assembly Bills A-2612 and A-2495; and

BE IT FURTHER RESOLVED, that the Borough Clerk forward copies of this resolution to the Bergen County Board of Chosen Freeholders, each municipality in Bergen County, State Senator Cardinale, Assemblywoman Schepisi and the Association of Municipal Assessors of New Jersey.

*Resolution #58-14

Authorizing The Acceptance Of Credit Card Payments For The Collection Of Municipal Court Fees In Accordance With The Provisions Of N.J.A.C. 5:30-9.1 Et Seq.

WHEREAS, the Department of Community Affairs, Division of Local Government Services has promulgated regulations, N.J.A.C. 5:30-9.1 et seq., authorizing municipalities to accept credit card payments in accordance with the provisions of the Administrative Code, and in regard to transactions related to municipal court, pursuant to the Rules of the Court promulgated by the New Jersey State Supreme Court; and

WHEREAS, in order for a municipality to accept credit card payments, a resolution must be adopted by the governing body authorizing the same and stating the type of obligations which can be paid by electronic receipt and the types of electronic receipt that will be permitted; and

WHEREAS, it is the desire of the Mayor and Council to authorize the payment of municipal court fees and fines, and other fees, costs or payments associated with the operation of the municipal court; and

WHEREAS, it is the intention of the Mayor and Council to authorize the Municipal Court Office to accept payment by credit card for those fees, costs, or other payments associated with that department as set forth above; and

WHEREAS, the utilization of credit cards for payment of these taxes, fees, costs, or fines must be in accordance with the provisions of N.J.A.C. 5:30-9.1 et seq., and in regard to the municipal court, in compliance with the Rules of Court adopted by the New Jersey Supreme Court.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey, as follows:

1. That the Mayor and Council authorize the Municipal Court Office to accept credit card payments for the payment of municipal court fees, fines, and such other payments that may be due to the municipal court.

2. That the use of credit cards for payment in regard to the Municipal Court is subject to the provisions of N.J.A.C. 5:30-9.1 as well as the Rules of Court adopted by the New Jersey Supreme Court, and such guidelines as the Supreme Court may adopt in regard to the acceptance of credit card payments for municipal court obligations.

*Resolution #59-14

WHEREAS, the Upper Saddle River Police Department is in possession of certain property which needs to be destroyed for security reasons or items which can be sold, as indicated on the attached list;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Upper Saddle River, County of Bergen, that Police Chief Patrick Rotella be and is hereby authorized to dispose of such property in such manner and within such time period as may be appropriate and practical.

*Resolution #60-14

A RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY
COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and Home Investment Partnership Act of 1990, as amended; and

WHEREAS, THE Grantee or a unit of general local government that directly or indirectly receives CDBG funds may not sell, trade or otherwise transfer all or any such portion of such funds to another metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

Whereas, the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and WHEREAS, by June 20, 2014 each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Borough of Upper Saddle River and its residents to participate in said programs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and Home investment Partnership Act Program for the Program Years 2015, 2016 and 2017 (July 1, 2015-June 30, 2018); and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 20, 2104.

*Resolution #61-14

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 2013 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 #62-14

WHEREAS, bids for road resurfacing within the Boroughs of Allendale, Glen Rock, Franklin Lakes, Ho-Ho-Kus, Midland Park, Ramsey, Saddle River, Upper Saddle River and Waldwick were received on April 22, 2014; and

WHEREAS, the Borough of Ramsey was the lead agency of the Northwest Bergen Cooperative Pricing Program; and

WHEREAS, D & L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, New Jersey 07110 submitted a bid of \$2,483,601.60; which appears to be the lowest responsible bidder; and

WHEREAS, award of said bid to D&L Paving Contractors, Inc. has been recommended by the Borough Engineer;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk of the Borough of Upper Saddle River be and are hereby authorized to execute the appropriate contract documents in connection therewith in the amount of \$328,624.41.

*Resolution #63-14

WHEREAS, application for renewal of an alcoholic beverage license has been received from BESO XOXO, 209 State Highway Route 17, Upper Saddle River, N.J. 07458 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 a Special Ruling for the 2014-1015 license term;

NOW, THEREFORE, BE IT RESOLVED, that the following alcoholic beverage pocket license be renewed effective July 1, 2014 to June 30, 2015:

License #0263-33-003-004

A Plenary Retail Distribution License is hereby issued to BESO XOXO Corporation, 209 State Highway Route 17, Upper Saddle River, N.J. 07458.

*Resolution #65-14

WHEREAS, the Bergen County Board of Chosen Freeholders is authorized to cause snow to be plowed from the County owned or County controlled roads; and

WHEREAS, Bergen County Department of Public Works desires to employ the services of the Borough of Upper Saddle River for snow plowing operations

on county roads located within the Municipality for a period of two snow seasons; and

WHEREAS, The Borough of Upper Saddle River agrees to furnish the necessary equipment and personnel required to perform snow plowing on County roads at the operating rate of \$90.00 per hour.

NOW, THEREFORE, BE IT RESOLVED that Governing Body of the Borough of Upper Saddle River does hereby agrees to execute an Agreement with the County of Bergen to provide services and equipment for snowplowing operations for the 2014-2016 snow seasons.

*Resolution #66-14

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Iris Benzan Diaz v. Borough of Upper Saddle River", Docket No. 010043-2013, which matter involves an appeal of the assessment on certain premises known as Block 1112, Lot 14 and being more commonly known as 5 Sunflower Drive, for the 2013 tax year; and

WHEREAS, the parcel is assessed for the 2013 tax year at \$1,468,100; and

WHEREAS, said appeal was filed to contest the assessment on the property for the 2013 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 2013 tax year on said parcel shall be established at \$1,268,100.
2. Plaintiff agrees to waive interest due on the refund in connection with this settlement. In addition, any refund due the property owner 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 #67-14

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Harvey A. Coleman Trust v. Borough of Upper Saddle River", Docket Nos. 009133-2012 and 006755-2013, which matters involve appeals of the assessment on certain premises known as Block 1006, Lot 1.02 and being more commonly known as 5 Iron Latch West, for the 2012 and 2013 tax years; and

WHEREAS, the parcel is assessed for the 2012 and 2013 tax years at \$1,159,500; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2012 and 2013 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 appeals based upon the following terms and conditions:

1. The Stipulation of Settlement shall provide that the appeal for the 2012 tax year shall be withdrawn.
2. The Stipulation of Settlement shall provide that the assessment for the 2013 tax year on said parcel shall be established at \$1,100,000.
3. Plaintiff agrees to waive interest due on the refund in connection with this settlement. In addition, any refund due the property owner 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 #68-14

WHEREAS, The Borough of Upper Saddle River desires to develop a grounds maintenance program; and,

WHEREAS, this policy encourages, whenever practical, sustainable municipal operation and incorporates best practices of efficient landscape design, water conservation, the use of recycled material and composting to promote healthy communities and waste reduction; and,

WHEREAS, the Borough of Upper Saddle River shall encourage, consider and use wherever practical the following methods in its grounds maintenance policy;

1. Utilize compost landscape waste the Boroughs tree compost facility as mulch in landscaping projects.,
2. The Borough encourages the re-use of material from the waste stream (such as tire recycling, asphalt and milling recycling and cement) wherever possible and to decrease its costs.
3. The Borough encourages and considers landscaping projects to achieve the purposes of storm water management. Through the use of property contours, water flow can be slowed and filtered through landscaping to improve ground water recharge and prevent erosion.
4. Significantly reduce or eliminate the use of conventional pesticides through an integrated pest management program
5. Avoid the use of excessive fertilizers
6. The Borough will use efficient irrigation systems which are equipped with rain sensors to achieve sufficient watering schedules and water conservation. Irrigation systems are used and leaks promptly repaired to minimize costs

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Upper Saddle River that the aforementioned grounds maintenance policy is hereby adopted to achieve the benefits of cost avoidance and reduction, water conservation, re-use of compost material, recycling of material from the municipal waste stream to promote healthy communities.

BE IT FURTHER RESOLVED, that the Borough Clerk provide a copy of this policy to the Superintendent of Public Works, Construction Code Official, Borough Engineer, and Recreation Director.

*Resolution #69-14

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Zorm 2009, LLC and/or Oritani Bank v. Borough of Upper Saddle River", Docket No. 010189-2011, which matter involves an appeal of the assessment on certain premises known as Block 1301, Lot 14 and being more commonly known as 145 Route 17, for the 2011 tax year; and

WEREAS, the parcel is assessed for the 2011 tax year at \$2,307,700; and

WHEREAS, said appeal was filed to contest the assessment on the property for the 2011 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 2011 tax year on said parcel shall be established at \$2,107,700.
2. The Stipulation of Settlement shall provide that the Freeze Act shall not apply to the 2012 tax year or subsequent years.
3. Plaintiff agrees to waive interest due on the refund in connection with this settlement.

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 #70-14

WHEREAS, heretofore the Borough Council of Upper Saddle River has considered the bylaws of the Northwest Bergen Mutual Aid Association relating to mutual assistance between communities in the event of fire, disaster, or other emergencies; and

WHEREAS, it is the opinion of the Borough Council that mutual aid agreements and relationships with the Northwest Bergen Mutual Aid Association the two (2) bordering NJ and the two (2) bordering NY municipalities that are contiguous to the Borough of Upper Saddle River will enhance the Borough's ability to provide fire protection and

emergency service to the Upper Saddle River community and our neighboring municipalities; and

WHEREAS, the State of New Jersey considers reciprocal assistance with neighboring municipalities for emergency services a best practice; and

WHEREAS, the Fire Chief recommends that the Borough Council renew mutual aid agreements and relationships with the Northwest Bergen Mutual Aid Association and the Boroughs of Montvale and Woodcliff Lake, NJ and the Villages of Tallman and Monsey, NY;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Upper Saddle River as follows:

1. The Borough of Upper Saddle River renews its participation in the Northwest Bergen Mutual Aid Association.
2. The Borough of Upper Saddle River renews its mutual aid relationship with the Boroughs of Montvale and Woodcliff Lake, NJ and the Villages of Tallman and Monsey, NY.
3. The adoption of this resolution shall serve as the formal written mutual aid agreement for all emergency response units and said emergency responses with the President of the Northwest Bergen Mutual Aid Association and the Fire Chiefs of Montvale, Woodcliff Lake, Tallman and Monsey.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide four (4) certified copies of the resolution to the Fire Chief and he shall file said resolutions with the President of the Northwest Bergen Mutual Aid Association and the Fire chiefs of Montvale, Woodcliff Lake, Tallman and Monsey.

Councilman Ditkoff read for the first time: (Ord. #5-14)

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF UPPER SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$700,000 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 by Councilman Ditkoff, seconded by Councilman DiMartino:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW INFORMATION TECHNOLOGY EQUIPMENT IN, BY AND FOR THE BOROUGH OF UPPER SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$700,000 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" was introduced at a Mayor and Council meeting on June 5, 2014 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 July 3, 2014, 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, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None Resolution approved.

Councilman DiMartino read for the first time: (Ord. #6-14)

"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 September 5, 2013".

Resolution by Councilman DiMartino, seconded by Councilman Durante:

"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 September 5, 2013" " was introduced at a Mayor and Council meeting on June 5, 2014 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 July 3, 2014, 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, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None Resolution approved.

RULE 7. Public Comments:

Mayor Minichetti thanked everyone who was involved in making the Kitchen Tour a success.

Mr. Robert Santomaro, 30 Ripplewood Drive, complained about deers destroying foliage and asked if there was anything that could be done to curb the deer population. Mayor Minichetti said after meeting with the Wildlife Association last year, they indicated that birth control and relocating the deer were not options; only hunting was a possibility. However, Mayor Minichetti said that hunting was not an option in Upper Saddle River.

Capt. Eric Vandenberg, 57 Stevenson Lane, thanked the Mayor and Council for their support of the Kitchen Tour and that proceeds of the fund raising event would go toward the purchase of a new ambulance.

Mr. George Policastro, 41 Maple Road, said he did not receive a snowplowing survey letter that was sent to all the residents of Maple

Road. It was pointed out that Mr. Policastro had previously notified the town that he was against the snowplowing of Maple Road. Mayor Minichetti said the letter was intended to ascertain the wishes of the other residents, who all agreed that they wanted the town to snowplow this road especially for emergency services. As to Mr. Policastro's complaint about pot holes on Maple Road and clogged storm drains on Weiss Road, the DPW will be informed of his concerns.

Mr. Regan referred to a response from Edward Boccher, Esq., of Decotis, Fitzpatrick & Cole, LLP to the Planning Board's request for deposit of escrow fees. Mr. Boccher noted Mack-Cali has not made an application to the Planning Board and would not make the requested escrow fees of \$27,000. Mr. Regan noted that the current zoning of the site is consistent with the Master Plan and that the letter reflects that Mr. Boccher wants Upper Saddle River to rezone the site without amending the Master Plan and to pay for any studies. Councilman DeBerardine noted there has been no contact from Decotis, Fitzpatrick prior to this letter, that no application has been submitted and that the Council has no effect on what the Planning Board would determine. He said their request to rezone was forwarded to the Planning Board as a courtesy. Mayor Minichetti said more information is needed before the Council can comment on the issue.

RULE 8. Adjournment:

A motion to adjourn by Councilman Durante, seconded by Councilman DeBerardine was unanimously approved by all Council members present. (Meeting adjourned at 9:00 p.m.)

Respectfully submitted,

Rose Vido, RMC
Borough Clerk

