

Minutes of the Regular Meeting of the Mayor and Council held on Thursday, September 1, 2016 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, c. 231, proper notice of this meeting has been provided by submitting appropriate notice to The Ridgewood News and The Record on December 18, 2015 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	Absent
Councilman	Steven DiMartino	Present
Councilman	Jonathan Ditkoff	Present
Councilman	Vincent M. Durante	Present
Councilwoman	Joanne Florio	Absent
Councilman	Thomas Hafner	Present

RULE 2. Minutes of Executive, Closed and Regular Meetings of August 4, 2016 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 DiMartino.

RULE 3. Borough Clerk's Report:

The Borough Clerk's office received the following fees for the month of August, 2016 and deposited them with the Collector/Treasurer:

Peddler's License	\$10.00
Landscape Permit	10.00
Garage Sales	14.00
Copies	8.25
Total	\$ 42.25

The Borough Clerk's office issued 3 licenses for the month of August. \$6.60 was forwarded to the NJ Department of Health for the Pilot Clinic and Animal Control Fund.

Proof of publication was received for:

1. Introduction of Ord. #5-16 - 2016 Employee Compensation
2. Introduction of Ord. #6-16 - Licenses
3. Introduction of Ord. #7-16 - Zoning

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

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

Other Boards & Commissions:

Municipal Court: Report for the month of Julyne was received and filed.

RULE 4. Communications, Petitions & Bills:

NJS League of Municipalities Annual Audit Statement.

Resolutions from Ridgewood, Teaneck, Bd. of Chosen Freeholders.

Councilman DiMartino presented bills in the amount of \$5,052,319.79:

A motion by Councilman DiMartino, seconded by Councilman Durante to pay bills in the amount of \$5,052,319.79 was unanimously approved by all Council members present. Mayor Minichetti declared bills approved for payment and ordered checks drawn.

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

RULE 5. Unfinished Business:

Councilman Hafner read for the second time: (Ord. #8-16)

"AN ORDINANCE TO BAN THE SALE OF DOGS AND CATS FROM PET SHOPS".

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

Resolution by Councilman Hafner, seconded by Councilman Ditkoff:

"AN ORDINANCE TO BAN THE SALE OF DOGS AND CATS FROM PET SHOPS" was introduced at a Regular meeting of the Mayor and Council on August 4, 2016 and passed its first reading. After public hearing held on September 1, 2016, 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 DiMartino, Ditkoff, Durante, 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 Councilman Ditkoff was unanimously approved by all Council members present.

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

\*Resolution #80-16

RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that Fire Chief Erik Verheilig attended the New Jersey State Firemen's Convention held in Wildwood, New Jersey on September 15 and 16, 2016; and

BE IT RESOLVED that the Treasurer is hereby authorized to issue him a check not exceeding \$200.00 for expenses in attending said conference; and

BE IT FURTHER RESOLVED that actual vouchers are to be submitted in due course to substantiate actual expenses and any portion of this advance not vouchered is to be returned.

\*Resolution #81-16

RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that the following lifetime firemen attended the New Jersey State Firemen's Convention held in Wildwood, New Jersey on September 15 and 16, 2016:

Larry Rauch  
John Manke  
Joseph Kelly  
Joseph Raymond  
Chris Younes

BE IT RESOLVED that the Treasurer is hereby authorized to issue each of them a check not exceeding \$200.00 for expenses in attending said conference; and

BE IT FURTHER RESOLVED that actual vouchers are to be submitted in due course to substantiate actual expenses and any portion of this advance not vouchered is to be returned.

\*Resolution #82-16

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Robert W. and Diane W. Boyajian v. Borough of Upper Saddle River", Docket No. 004369-2016, which matter involves an appeal of the assessment on certain premises known as Block 214, Lot 9 and being more commonly known as 15 Sleepy Hollow Road, for the 2016 tax year; and

WHEREAS, the parcel is assessed for the 2016 tax year at \$1,838,000.00; 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 \$1,770,000.00.

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 #83-16

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Tae Hong and Jung Hee Ryu v. Borough of Upper Saddle River", Docket No. 004371-2016, which matter involves an appeal of the assessment on certain premises known as Block 1203, Lot 14.02 and being more commonly known as 10 Mettowee Farms Court, for the 2016 tax year; and

WHEREAS, the parcel is assessed for the 2016 tax year at \$1,467,100.00; 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 \$1,380,000.00.

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 #84-16

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Daniel Pildes v. Borough of Upper Saddle River", Docket No. 004372-2016, which matter involves an appeal of the assessment on certain premises known as Block 302, Lot 27 and being more commonly known as 21 Grist Mill Lane, for the 2016 tax year; and

WHEREAS, the parcel is assessed for the 2016 tax year at \$1,120,500.00; 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 \$1,030,500.00.

2. The Stipulation of Settlement shall provide that the assessment for the 2017 tax year on said parcel shall be established at \$1,000,000.00.

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 #85-16

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Lake Road over Saddle River West Branch (02M6308) project located in the Borough of Upper Saddle River, Bergen County

BE IT RESOLVED that the Mayor and Council of the Borough of Upper Saddle River approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as LAIF-2017-Lake Road over Saddle River West Branch (02M6308)-00003 to the New Jersey Department of Transportation on behalf of the Borough of Upper Saddle River.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Upper Saddle River and that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Borough Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

\*Resolution #86-16

WHEREAS, application for renewal of an alcoholic beverage pocket 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 2016-2017 license term;

NOW, THEREFORE, BE IT RESOLVED, that the following alcoholic beverage pocket license be renewed effective July 1, 2016 to June 30, 2017, 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, 2017, 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.

\*Authorize Borough Clerk to seek bids for Snowplowing services for the 2016-2017 season.

\*Approve Jr. Firefighter application of Scott Gurian.

\*Appoint Sara Goreshi as student member to USR Board of Health.

A motion by Councilman Ditkoff, seconded by Councilman Durante to authorize the Mayor and Borough Clerk to execute the DPW Agreement.

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

RULE 7. Public Comments: None.

RULE 8. Adjournment:

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

Respectfully submitted,

Rose Vido, RMC  
Borough Clerk