

Minutes of the Regular Meeting of the Mayor and Council held on Thursday, September 3, 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 December 19, 2014 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 August 18, 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 August, 2015 and deposited them with the Collector/Treasurer:

Copies	\$	8.55
Garage Sales		16.00
Landscape Permits		20.00
	Total \$	44.55

The Borough Clerk's office issued 8 dog licenses for the month of August. \$12.60 was forwarded to the NJ Department of Health for the Pilot Clinic and Animal Control Fund.

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

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

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

Borough Official's Report:

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

RULE 4. Communications, Petitions & Bills:

Resolution from Township of Rochelle Park and Bd. Of Chosen Freeholders.

Councilman DeBerardine presented bills in the amount of \$4,524,744.00:

A motion by Councilman DeBerardine, seconded by Councilman DiMartino to pay bills in the amount of \$4,524,744.00 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, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

RULE 5. Unfinished Business:

Councilwoman Florio read for the second time: (Ord. #13-15)

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, VEHICLES AND TRAFFIC".

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

Resolution by Councilwoman Florio, seconded by Councilman Durante:

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, VEHICLES AND TRAFFIC" was introduced at a Regular meeting of the Mayor and Council on August 18, 2015 and passed its first reading. After public hearing held on September 3, 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, 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 Councilman Ditkoff was unanimously approved by all Council members present.

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

*Resolution #69-15

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 2014 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 addition 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 #70-15

WHEREAS, the Borough of Upper Saddle River advertised for the receipt of bids for the acquisition of a 3,000 Gallon Pumper-Tanker, with bids to be submitted on August 12, 2015; and

WHEREAS, on the aforesaid date, one (1) bid was submitted from Firefighter One LLC dba FF1 Professional Safety Services (hereinafter "Firefighter One"); and

WHEREAS, while the bid was submitted by Firefighter One, the required bid bond was submitted in the name of Ferrara Fire Apparatus Inc. of Holden, Louisiana; and

WHEREAS, the failure to provide a bid bond in the name of the bidder constitutes a defect which is not waivable.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby reject the bid submitted by Firefighter One; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to advertise for the receipt of bids for the aforementioned Pumper-Tanker.

*Resolution #71-15

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

WHEREAS, Mr. Jason Sippel has offered to make a donation in memory of long-time Upper Saddle River resident Arthur Crames, for the purchase of new digital radios; 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 kind gift; and

BE IT FURTHER RESOLVED, that a letter expressing our gratitude be sent to Mr. Jason Sippel for his generous donation.

*Authorize Borough Clerk to seek bids for Snowplowing Services for the 2015-2016 season.

Councilman DeBerardine read for the first time: (Ord. #14-15)

"AN ORDINANCE TO AMEND CHAPTER 137 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED TREES".

Resolution by Councilman DeBerardine, seconded by Councilman Durante:

"AN ORDINANCE TO AMEND CHAPTER 137 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED TREES" was introduced at a Mayor and Council meeting on September 3, 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 October 1, 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, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

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

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED VEHICLES AND TRAFFIC".

Resolution by Councilman Ditkoff, seconded by Councilman DiMartino:

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED VEHICLES AND TRAFFIC" was introduced at a Mayor and Council meeting on September 3, 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 October 1, 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, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

Councilman Durante read for the first time: (Ord. #16-15)

"AN ORDINANCE TO AMEND CHAPTER 122 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED STREETS AND SIDEWALKS".

Resolution by Councilman Durante, seconded by Councilman DeBerardine:

"AN ORDINANCE TO AMEND CHAPTER 122 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED STREETS AND SIDEWALKS" was introduced at a Mayor and Council meeting on September 3, 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 October 1, 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, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

Mayor Minichetti appointed Robert Jacobs to serve as a Class IV member on the Upper Saddle River Planning Board to December 31, 2016.

A motion by Councilwoman Florio, seconded by Councilman Hafner to appoint Claudia Haller to serve on the Upper Saddle River Youth Guidance Council to December 31, 2015.

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

RULE 7. Public Comments:

In response to an inquiry by Ms. Carolyn Jean Christman, 478 W. Saddle River Road, regarding submission of an application for a Superstorm Sandy flood grant, Mayor Minichetti explained that Upper Saddle River had no flooding and therefore was not eligible for a flood grant, but that the Borough received a \$300,000 grant for the cleaning and de-snagging of rivers and brooks.

RULE 8. Adjournment:

A motion to adjourn by Councilman Durante, seconded by Councilman Ditkoff was unanimously approved by all Council members present. (Meeting adjourned at 8:27 p.m.)

Respectfully submitted,

Rose Vido, RMC
Borough Clerk