

Meeting Held In-Person & On Zoom

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF UPPER SADDLE RIVER**

**May 4, 2023                      8:00 p.m.**

**PRESIDING:** Borough Administrator Preusch called the meeting to order at 8:00 p.m.

**Pledge of Allegiance**

**PUBLIC NOTICE:** 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, 2022 by email in which the time, place and purpose of the meeting was set forth.

➤ **Swearing in of Police Officer David Bonagura**

Resolution #74-23 offered by Council Member Florio  
Seconded by Council Member Lyons  
Roll Call: AYES, Unanimous

Mayor Fardanesh administered the Oath of Office to Police Officer David Bonagura

➤ **Swearing in of Police Officer Matthew Lanza**

Resolution #75-23 offered by Council Member Florio  
Seconded by Council Member Lyons  
Roll Call: AYES, Unanimous

Mayor Fardanesh administered the Oath of Office to Police Officer Matthew Lanza

➤ **Recognition of State of New Jersey Meritorious Service Medal for Service in the US Military**

➤

Esther Chucaralao, Director, New Jersey Department of Military and Veteran Affairs presented the NJ Meritorious Service Medal for Service in the US Military to Upper Saddle River Fire Department President Patrick Bertollo and Upper Saddle River Police Department Dispatcher Akira Yamaki .

➤ **Recognition of Upper Saddle River Fire Department Life Member Award**

➤

Mayor Fardanesh presented Life Member Awards to USRFD Members Patrick Bertollo and Robert Brigham.

❖ **Proclamation: Emergency Services Week May 21-27**

Mayor Fardanesh read this proclamation to the public.

❖ **Proclamation: Mental Health Month “Back to Basics” May 20, 2023**

Mayor Fardanesh read this proclamation to the public.

**RULE 1. ROLL CALL**

Mayor	Arman Fardanesh	Present
Council Member	Steven DiMartino	Absent
Council Member	Jonathan Ditkoff	Present
Council Member	Sarah Drennan	Absent
Council Member	Joanne Florio	Present
Council Member	Richard Lyons	Present
Council Member	Roger Masi	Present

**RULE 2. APPROVAL OF MINUTES**

The following minutes were delivered to all members of the governing body, posted on the bulletin board, and were unanimously approved following a motion by Council Member Ditkoff, seconded by Council Member Masi.

March 30, 2023: Executive, Closed and Regular Meetings

**Roll Call Vote: AYES, Unanimous**

**RULE 3. BOROUGH CLERK’S REPORT**

The Borough Clerk’s office received the following fees for the month of March 2023 and deposited them with the Collector/Treasurer:

Landscaper Licenses	\$	800.00
Garage Sales	\$	10.00
200 Foot Lists	\$	10.00
NSF Fee	\$	35.00
	<b>\$</b>	<b>855.00</b>

The Borough Clerk’s office issued 12 licenses for the month of April 2023; **\$20.40** was forwarded to the NJ department of Health for the Pilot Clinic and Animal Control Fund.

Proof of publications received:

- ❖ Adoption of Ordinance #02-23: AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 51 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, “FIRE PREVENTION”
- ❖ Adoption of Ordinance #03-23: BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS 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 \$1,200,000 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.
- ❖ Introduction of Ordinance #04-23: AN ORDINANCE TO AMEND CHAPTER 150 OF THE CODE OF THE BOROUGHOF UPPER SADDLE RIVER ENTITLED “ZONING”.

The following reports were received and are on file for the month of March:

- 1) Police Report
- 4) Construction Report

- 2) DPW Report
- 3) Fire Department Report\*

- 5) Municipal Court Report

\*The Firefighter of the Month for the month of April was awarded to **Peter Shapiro** for his dedication and consistent activity on the USRFD.

**RULE 4. COMMUNICATIONS, PETITIONS AND BILLS**

**Approval of Bills:** A motion by Council Member Masi, seconded by Council Member Lyons to pay bills in amount of **\$4,783,396.46** was unanimously approved; bills are approved for payment.

**Roll Call Vote: AYES, Unanimous**

**RULE 5. UNFINISHED BUSINESS**

Second Reading, Open Public Hearing; **Ordinance #04-23:**

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

**OPEN TO THE PUBLIC:** No one wished to be heard.

Motion Offered by Council Member Florio  
 Seconded by Council Member Lyons

**Roll Call Vote: AYES, Unanimous**

**RULE 6. NEW BUSINESS**

**Introduction of Ordinance# 05-23**

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)**

Motion Offered by Council Member Masi  
 Seconded by Council Member Ditkoff

**Consent Agenda:**

All items listed with an asterisk (\*) hereunder, 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.

Open to the Public: (For Consent Agenda Items Only) No one wished to be heard.

- \*1. Resolution #76-23: Tax Appeal Refund Blk. 508 Lot 18
- \*2. Resolution #77-23: Return of Escrow Funds
- \*3. Resolution #78-23: Temporary Budget
- \*4. Resolution #79-23: Authorization to Read CY 2023 Budget by Title Only
- \*5. Resolution #80-23: EEOC Compliance
- \*6. Resolution #81-23: CFO Certification – Self Examination of 2023 Budget
- \*7. Resolution #82-23: Introduction of 2023 Budget
- \*8. Resolution #83-23: Authorization to submit COPS Hiring Grant Application
- \*9. Resolution #84-23 Youth Leadership Grant
- \*10. Resolution #85-23 Applied Landscape Tech. Change Order \$28,655.13
- \*11. Resolution #86-23 Redeem Third Party Tax Lien Blk. 1005 Lot 1
- \*12. Resolution #87-23 Authorizing Settlement Of Tax Appeal Block 1304, Lot 7.02

- \*13. Resolution #88-23 Appoint Part Time PD Dispatcher Thomas Dunn
- \*14. Resolution #89-23 Authorize Professional Services Agreement – Michael Burke, Esq.

Motion to approve the Consent Agenda items offered by Council Member Lyons  
Seconded by Council Member Florio

**Roll Call Vote: AYES, Unanimous**

**Introduction of Ordinance #06-23**

**AN ORDINANCE TO ESTABLISH REGULATIONS PERTAINING TO SMALL UNMANNED AIRCRAFT COMMONLY KNOW AS DRONES AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.**

Motion Offered by Council Member Ditkoff  
Seconded by Council Member Masi

**RULE 7. PUBLIC COMMENT**

Mayor Fardanesh gave a statement pertaining to the environmental issues in and around Hillside Avenue in Airmont, NY. The Borough has retained Michael Burke, Esq., Special Counsel to investigate and pursue a potential Clean Water Act litigation. Additionally, a Water Impact Committee has been formed to also further research this matter. A water line was to be installed on Hillside Avenue and, to date, that water line has not been installed. He further stated that he has spoken with Senator Holly Schepisi and Congressman Josh Gottheimer who will meet with the Water Impact Committee next week. The following a week a meeting will be set up for legislatures from both New York and New Jersey to address these ongoing environmental issues. Mayor Fardanesh stated that the governing body is taking this matter very seriously and recognizes the importance of this matter.

William Spencer, 4 Barnfield Court offered updates on his previous scientific presentation on mitigation of the risks to Upper Saddle River's water supply due to sewage overflow, climate change and rapid development north of the Borough in Rockland County. He stated that some of the contamination of the Saddle River may be more imminent than previously thought. He explained his findings and data in detail.

Larry Klein, 16 Hemlock Hill Road addressed the concept of green burials at the cemetery on Hillside Avenue. He further stated that he appreciates the Mayor and Council's efforts to date and encouraged residents to contact legislators regarding this matter.

Frank Sonnenberg, 15 Barnfield Court thanked the Mayor and Council for their efforts around this issue but stated that many residents in Upper Saddle River are unaware of this matter. He further stated that it is very important to get the word out to residents so residents can perform well testing.

Heather Federico, 30 Tartan Road, Mahwah, head of CUPON addressed the development on Hillside Avenue and stated that there are many ongoing non-compliant issues that will negatively impact the environment.

Chia Spencer, 12 Barnfield Court stated that she agrees with Mr. Sonnenberg about getting the word out to residents about this important matter. She further stated water testing is very important so a base line can be obtained and monitor moving forward.

Jay Perez 100 Hampshire Hill Road, Chairman of the USR Environmental Commission stated that social media platforms should be utilized in order to educate residents on this matter. Mayor Fardanesh stressed the importance of obtaining data from experts in the field in order to prevent any confusion around factual data.

Patrick Popiel, 52 Hampshire Hill Road stated that there are serious safety concerns on his street when there is a funeral at the cemetery on Hillside Avenue as drivers cut through and do not obey traffic regulations.

Robert Kosowski, 47 Hampshire Hill Road suggested the installation of a gate at the intersection of Plymouth Drive and Hillside Avenue that could be opened if first responders needed to gain access through that point of entry.

Michael Selkow, 67 Hampshire Hill Road stated that he was also very concerned about the traffic being caused by the development on Hillside Avenue. Out of state drivers are using this street as a cut-through and not obeying the speed limits. Chief Rotella encouraged residents to make the police aware of this when there is a noticeable increase in traffic.

Erik Friis, 4 Sparrowbush Road stated that the environmental problems created on Hillside Avenue are extremely problematic but stated that there are still runoff and water issues from the Toll Brothers construction on Carlough Road.

Chris & Grace Clark, 3 Rambling Brook Road stressed the importance of obtaining a baseline water test in order to have the data available if changes occur moving forward.

Wayne Duglin, 11 Hemlock Hill Road asked if the town performs water tests on Borough owned property and he was informed that testing is done regularly.

Fred Greenberg, 16 Plymouth Drive stated that residents must be made aware about the importance of water testing.

Council Member Florio asked if the residents of Plymouth Drive wanted the intersection at Hillside Avenue closed permanently. Mr. Greenberg responded that he would be in favor of this to alleviate serious traffic issues and safety concerns.

Peggy Jablonski, 31 Rambling Brook Road stated that there is an increased amount of traffic on her street and she would be in favor of closing the entrance to Plymouth Drive from Hillside Avenue.

Chief Rotella stated that traffic studies can be done to further evaluate this matter.

Andrew Sousa, 75 Hampshire Hill Road reiterated that during funeral services at the cemetery on Hillside Avenue, the traffic causes a major safety concern on Hampshire Hill Road.

Jay Perez stated that Hampshire Hill Road is a windy road and there is a significant in traffic and speeding drivers.

## **RULE 8. ADJOURNMENT**

A motion to adjourn by was made, seconded and was unanimously approved by all Council members present.

Respectfully submitted,

Joy C. Convertini, RMC  
Municipal Clerk