

Minutes of the Regular Meeting of the Mayor and Council held on Thursday, February 1, 2018 at 8:00 p.m. at the Upper Saddle River Borough Hall.

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

Mayor Minichetti swore in re-elected Councilman Roger DeBerardine.

Mayor Minichetti swore in the following Ambulance Corps Officers:

Capt.	Amy Lauren
1 <sup>st</sup> . Lt.	Arman Fardanesh
3 <sup>rd</sup> . Lt.	Erik Vandenberg

Mayor Minichetti presented a Proclamation of Appreciation to William "Bill" Yeomans and Barbara Sena for their outstanding community service.

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 19, 2017 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	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 December 4 and December 26, 2017 and Minutes of January 4, and January 15, 2018 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 December, 2017 and January, 2018 and deposited them with the Collector/Treasurer:

Landscaper Permit	\$	20.00
Garage Sales		8.00
Copies		<u>32.70</u>
Total	\$	60.70

The Borough Clerk's office issued 1 license for the month of December and 169 licenses for the month of January. \$240.00 was forwarded to the NJ Department of Health for the Pilot Clinic and Animal Control Fund.

Proof of Publications were received from The Bergen Record for:

- (1) 2018 Mayor & Council meeting schedule
- (2) Resolution #4-18-Professional Services

RULE 3. Borough Clerk's Report:

Police: Report for the months of December & January were received and filed.  
DPW: Report for the months of December & January were received and filed.

Fire Dept: Report for the months of December & January were received and filed.

Library: Report for the months of December & January were received and filed.

Youth Guidance Council: Minutes of 1/12/18 were received and filed.

Borough Official's Report:

Construction Code Official: Report for the month of December and Year End report were received and filed.

Other Boards & Commissions:

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

RULE 4. Communications, Petitions & Bills:

Mutual Aid/Rapid Deployment Resolution from Elmwood Park, Fort Lee, Montvale, Moonachie, River Edge, Norwood, Rutherford, Franklin Lakes, Old Tappan, Fair Lawn, Maywood, Bergenfield, Dumont, Park Ridge, New Milford, Tnp. Of Washington. E. Rutherford, Hillsdale, Little Ferry, Oakland, Lyndhurst, Ramsey, Paramus, N. Arlington, Fairview, WoodRidge, Wallington, Palisades Park, Park Ridge.

Apiary Standards Resolution from Ridgewood, Rutherford, Harrington Park, Little Ferry, S. Hackensack.

Public hearing notice from Montvale, Master Plan Amendment and Ordinance re Temporary Wall Signs.

NWBCUA Minutes of Nov. 8, 2017 Proposed 2018 Budget and 2018 Service Charges.

Councilman DeBerardine presented bills in the amount of \$%,481,174.06:

A motion by Councilman DeBerardine, seconded by DiMartino to pay bills in the amount of \$5,481,174.06 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: 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, Items #1-#29 and #31-#35 by Councilman Hafner, seconded by Councilwoman Florio was unanimously approved by all Council members present.

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

\*Resolution #15-18

WHEREAS, N.J.S.A.40a:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made

available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Borough of Upper Saddle River has received a State of NJ Hazardous Waste 2015 Recycling Tonnage Grant of \$5,541.43 and wishes to amend its 2017 budget to include this amount as revenue;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Upper Saddle River hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$5,541.43 which is now available as:

Miscellaneous Revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director Of the Division of Local Government Services;

State & Federal Revenues Off-Set with Appropriations;  
Hazardous Waste 2015 Recycling Tonnage Grant

BE IT RESOLVED that the sum of \$5,541.43 is hereby appropriated under the caption of:

General Appropriations

Operations excluded from the CAP

State and Federal Programs Receivable-Off-Set by Revenues:

Hazardous Waste 2015 Recycling Tonnage Grant

BE IT FURTHER RESOLVED, that the Borough Clerk shall forward one copy of this resolution to the Director of the Division of Local Government Services.

\*Resolution #16-18

WHEREAS, N.J.S.A.40a:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Borough of Upper Saddle River has received a County of Bergen Reimbursement of Expense - Municipal Alliance of \$9,825.98 and wishes to amend its 2017 budget to include this amount as revenue;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Upper Saddle River hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$9,825.98 which is now available as:

Miscellaneous Revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director Of the Division of Local Government Services;

County Revenues Off-Set with Appropriations;  
Municipal Alliance

BE IT RESOLVED that the sum of \$9,825.98 is hereby appropriated under the caption of:

General Appropriations

Operations excluded from the CAP

County Programs Receivable-Off-Set by Revenues:

Municipal Alliance

BE IT FURTHER RESOLVED, that the Borough Clerk shall forward one copy of this resolution to the Director of the Division of Local Government Services.

\*Resolution #17-18

WHEREAS, the Borough of Upper Saddle River requires services of a professional Bond Counsel for the year 2018; and

WHEREAS, it is contemplated that the 2018 budget will contain the necessary appropriations estimated to be reasonable required for such services; and

WHEREAS, the Borough of Upper Saddle River requires the resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

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

- 1) The Mayor and Council do hereby engage the services of:

Rogut McCarthy LLC  
37 Alden Street  
Cranford, New Jersey 07016

All to serve at the pleasure of the Council per the Fee Schedule attached to the Contract;

2) The engagement of such services is made without competitive bidding under the provisions of N.J.S.A.40A:11-51 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for such services.

\*Resolution #18-18

WHEREAS, the Borough of Upper Saddle River requires services of a professional Risk Management Consultant for the year 2018; and

WHEREAS, it is contemplated that the 2018 budget will contain the necessary appropriations estimated to be reasonable required for such services; and

WHEREAS, the Borough of Upper Saddle River requires the resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

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

- 1) The Mayor and Council do hereby engage the services of:

Nelson-Patterson Agency  
746 River Road  
New Milford, New Jersey 07646

All to serve at the pleasure of the Council at a fee paid by the Fund on behalf of the Municipality;

2) The engagement of such services is made without competitive bidding under the provisions of N.J.S.A.40A:11-51 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for such services.

\*Resolution #19-18

WHEREAS, the Borough of Upper Saddle River requires professional planning services for the year 2018 and

WHEREAS, it is contemplated that the 2018 budget will contain the necessary appropriations estimated to be reasonably required for such services; and

WHEREAS, the Borough of Upper Saddle River requires the resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

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

1) The Mayor and Council do hereby engage the services of:

Burgis Associates, Inc.  
25 Westwood Avenue  
Westwood, New Jersey 07675

All to serve at the pleasure of the Council at a cost and an hourly rate as set forth in the Agreement for additional services.

2) The engagement of such services is made without competitive bidding under the provisions of N.J.S.A. 40A:11-51 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession.

\*Resolution #20-18

WHEREAS, the Borough of Upper Saddle River requires professional engineering services for the year 2018 and

WHEREAS, it is contemplated that the 2018 budget will contain the necessary appropriations estimated to be reasonably required for such services; and

WHEREAS, the Borough of Upper Saddle River requires the resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

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

1) The Mayor and Council do hereby engage the services of:

Boswell Engineering Co.  
330 Phillips Avenue  
South Hackensack, New Jersey 07606

All to serve at the pleasure of the Council at a cost and an hourly rate as set forth in the Agreement for additional services.

2) The engagement of such services is made without competitive bidding under the provisions of N.J.S.A. 40A:11-51 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for such services for the year 2018.

\*Resolution #21-18

WHEREAS, the Borough of Upper Saddle River wishes to enter into a Drug and Alcohol Testing Agreement for the year 2018; and

WHEREAS, it is contemplated that the 2018 budget will contain the necessary appropriations estimated to be reasonably required for such services; and

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

The Mayor and Council do hereby engage the services of:

Valley Medical Group  
15 Essex Road  
Paramus, New Jersey 07652

All to serve at the pleasure of the Council at an hourly rate as set forth in the Agreement.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for such services.

\*Resolution #22-18

WHEREAS, the Borough of Upper Saddle River is in need of Public Safety Answering Point (PSAP) emergency dispatching service; and

WHEREAS, the Borough of Paramus has indicated that the Paramus Police Department Communication Center is capable of supporting 9-1-1 dispatching services for the Borough of Upper Saddle River; and

WHEREAS, the Governing Body wishes to appoint Lt. David Lally to serve as 9-1-1 Coordinator for the Borough of Upper Saddle River;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Upper saddle River hereby authorizes the Mayor and Borough Clerk to execute an

Interlocal Agreement with the Borough of Paramus to handle 9-1-1 dispatching services at a cost as set forth in the Agreement, effective January 1, 2018.

\*Resolution #23-18

WHEREAS, the New Jersey State Division of Contract Compliance and Equal Employment Opportunity, enforces N.J.S.A. 10:5-31 et seq., providing that no public contract be awarded until the contractor complies with the approved Affirmative Action Plan; and

WHEREAS, N.J.A.C. 17-27-3.5 requires each public agency to designate a Public Agency Compliance Officer (PACO);

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Upper Saddle River hereby appoints Borough Attorney Robert T. Regan, Esq. as its' Public Agency Compliance Officer for the year 2018.

\*Resolution #24-18

WHEREAS, the Borough of Upper Saddle River is a member of the Municipal Joint Insurance Fund; and

WHEREAS, the Borough is required to appoint a Fund Commissioner as its representative to the Municipal Joint Insurance Fund;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that Theodore F. Preusch be and is hereby appointed as the Borough's Fund Commissioner for the Municipal Joint Insurance Fund for the year 2018.

\*Resolution #25-18

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Dept. of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for the year 2018 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution designates Helena Loveless as the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that said Borough hereby endorses the submission of a recycling tonnage grant application to the New Jersey Dept. of Environmental Protection and designates the Bergen County Utilities Authority to serve as Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

\*Resolution #26-18

Authorizing the Establishment of a Petty Cash Fund for Confidential and Investigative Purposes

WHEREAS, N.J.S.A. 40A:5-21 authorizes establishment of a petty cash fund for the Police Department of the Borough of Upper Saddle River, County of Bergen, New Jersey; and

WHEREAS, said petty cash fund would be utilized for confidential police narcotics investigation; and

WHEREAS, it is the desire of the Governing Body that said fund be maintained under the direction of the Chief of Police.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Upper Saddle River does hereby approve the establishment of a petty cash fund as follows:

1. That the Upper Saddle River Police Department be and is hereby authorized to establish a petty cash fund in the amount of \$500.00, pursuant to the provision of N.J.S.A. 40:A:5-21.

2. That Chief of Police Patrick A. Rotella be and is hereby authorized to maintain said petty cash fund to be used by the Police Department for confidential investigative purposes in the amount of \$250.00.

\*Resolution #27-18

WHEREAS, the Borough of Upper Saddle River wishes to enter into an Interlocal Services Agreement with the Borough of Waldwick for the year 2018; and

WHEREAS, it is contemplated that the 2018 budget will contain the necessary appropriations estimated to be reasonably required for such services; and

WHEREAS, the Borough of Waldwick has agreed to provide certain services to infants and pre-school children as mandated by the Public Health Council of the State of New Jersey; and

WHEREAS, the Governing Body of the Borough of Upper Saddle River has agreed to enter into such an agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Upper Saddle River hereby approves and authorizes the execution of an Interlocal Services Agreement with the Borough of Waldwick at a cost as set forth in the Agreement for the period January 1, 2018 to December 31, 2018.

\*Resolution #28-18

WHEREAS, the Borough of Upper Saddle River requires professional affordable housing agent services for the year 2018 and

WHEREAS, the Borough of Upper Saddle River requires the resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

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

1) The Mayor and Council do hereby engage the services of:

Piazza & Associates  
216 Rockingham Row  
Princeton, NJ 08540

All to serve at the pleasure of the Council at a cost and hourly rate as set forth in the Agreement for additional services.

2) The engagement of such services is made without competitive bidding under the provisions of N.J.S.A.40A:11-51 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for such services for the year 2018.

\*Resolution #29-18

WHEREAS, the Borough of Upper Saddle River requires professional financial advisor services for the year 2018 and

WHEREAS, the Borough of Upper Saddle River requires the resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

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

1) The Mayor and Council do hereby engage the services of:

Acacia Financial Group, Inc.  
601 Route 73 North  
Marlton, New Jersey 08053

as the Municipal Financial Advisor to serve at the pleasure of the Council at a cost and hourly rate as set forth in the Agreement for additional services.

2) The engagement of such services is made without competitive bidding under the provisions of N.J.S.A. 40A:11-51 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for such services for the year 2018.

\*Resolution #30-18

WHEREAS, the Borough of Upper Saddle River requires professional appraisal services for the year 2018 and

WHEREAS, the Borough of Upper Saddle River requires the resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

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

1) The Mayor and Council do hereby engage the services of:

Izenberg Appraisal Associates  
205 Main Street  
Chatham, New Jersey 07928

All to serve at the pleasure of the Council at a cost and hourly rate as set forth in the Agreement for additional services.

2) The engagement of such services is made without competitive bidding under the provisions of N.J.S.A. 40A:11-51 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for such services for the year 2018.

\*Resolution #31-18

BE IT RESOLVED, the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey, hereby appoints the firm of Boswell Engineering, 330 Phillips Avenue, South Hackensack, NJ to serve as Zoning Code Official; and

BE IT FURTHER RESOLVED, the Zoning Code Official shall serve from January 1, 2018 to December 31, 2018.

\*Resolution #32-18

BE IT RESOLVED, the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey, hereby appoints Steven Forbes to serve as Deputy Zoning/Code Enforcement Officer; and

BE IT FURTHER RESOLVED, the Deputy Zoning/Code Enforcement Officer shall serve from January 1, 2018 to December 31, 2018.

\*Resolution #33-18

WHEREAS, the Borough of Upper Saddle River wishes to enter into an Agreement with the Bergen County Dept. of Health Services to provide a Blood Borne Pathogens Program for the years 2018 and 2019; and

WHEREAS, it is contemplated that the 2018 and 2019 budgets will contain the necessary appropriations estimated to be reasonably required for such services;

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

The Mayor and Council do hereby engage the services of:

Bergen County Dept. of Health Services  
One Bergen County Plaza  
Hackensack, New Jersey 07601

all to serve at the pleasure of the Council at an hourly rate as set forth in the Agreement;

BE IT FURTHER RESOLVED that the Mayor and Borough clerk be and are hereby authorized to execute a contract for such services.

\*Resolution #34-18

WHEREAS, the Borough of Upper Saddle River wishes to enter into an Agreement with the Bergen County Dept. of Health Services to provide a Public Health Officer, a Registered Environmental Health Specialist, Septic and Well Services, and Employee Assistance Program for the year 2018; and

WHEREAS, it is contemplated that the 2018 budget will contain the necessary appropriations estimated to be reasonably required for such services;

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

The Mayor and Council do hereby engage the services of:

Bergen County Dept. of Health Services  
One Bergen County Plaza  
Hackensack, New Jersey 07601

all to serve at the pleasure of the Council at a yearly fee of of \$21,701.56;

BE IT FURTHER RESOLVED that the Mayor and Borough clerk be and are hereby authorized to execute a contract for such services.

\*Resolution #35-18

Authorize Pistol Range Agreement Between the Borough of Park Ridge and the Borough of Upper Saddle River.

WHEREAS, the Borough of Park Ridge currently owns and operates a pistol range facility; and

WHEREAS, the Borough of Upper saddle River is interested in using said facility at an annual cost of \$3,500.00, with one day per work week set aside for its use; and

WHEREAS, one-half (1/2) of the payment shall be due on June 1, 2018 and the balance one-half (1/2) of the amount owed shall be paid by December 1, 2018; and

WHEREAS, both parties believe these shared services agreements serves the best interest of the residents of their respective communities;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body hereby authorizes the Mayor and Borough Clerk to execute said Agreement on behalf of the Borough of Upper Saddle River.

\*Resolution #36-18

Consent and Agreement to the Execution of an Order of Provisional Authorization and Designation of an Acting Municipal Court Administrator between the Municipality of Upper Saddle River and the Municipality of Allendale.

WHEREAS, pursuant to N.J.S.A.2C:12-10 the Municipality of Upper Saddle River and the Municipality of Allendale are required to provide for a Municipal Court Administrator; and

WHEREAS, pursuant to N.J.S.A.40A:65-1 et. seq., any municipality of the State of New Jersey may contract with any other municipality or municipalities to share services that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, in accordance with N.J.S.A.2C:12-1 (c) the Municipality of Upper Saddle River and the Municipality of Allendale consent and agree to share the professional services of the Municipal Court Administrators on a provisional basis to undertake the duties of the absent Municipal Court Administrator during scheduled and/or unscheduled leaves, within the two respective municipalities; and

WHEREAS, the rate of pay shall be \$20.00 per hour as established by N.J.S.A.2C:12-10(b), not to exceed \$2,000 annually.

NOW, THEREFORE, BE IT RESOLVED, that the Municipality of Upper Saddle River and the Municipality of Allendale consent to the above agreement.

\*Resolution #37-18

WHEREAS, the Borough of Upper Saddle River requires professional auditing services for the year 2018; and

WHEREAS, the Borough of Upper Saddle River requires the resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

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

1) The Mayor and Council do hereby engage the services of:

Lerch, Vinci & Higgins, LLP  
17-17 Route 208  
FairLawn, New Jersey 07410

All to serve at the pleasure of the Council at a cost and hourly rate as set forth in the Agreement for additional services.

2) The engagement of such services is made without competitive bidding under the provisions of N.J.S.A. 40A:11-51 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for such services for the year 2018.

\*Resolution #38-18

WHEREAS, the Borough of Upper Saddle River requires professional legal services for the year 2018; and

WHEREAS, it is contemplated that the 2018 budget will contain the necessary appropriations estimated to be reasonably required for such services; and

WHEREAS, the Borough of Upper Saddle River requires the resolution authorizing the award of contract for "Professional Services" without competitive bids must be publicly advertised;

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

1) The Mayor and Council do hereby engage the services of:

Robert T. Regan, Esq.  
P O Box 214  
Westwood, New Jersey 07675

All to serve at the pleasure of the Council at an annual salary and an hourly rate as set forth in the Agreement for additional services.

2) The engagement of such services is made without competitive bidding under the provisions of N.J.S.A. 40A:11-51 which excepts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for such services.

\*Resolution #39-18

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey' and

WHEREAS, the Borough Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, Borough Council was applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Upper Saddle River, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Upper saddle River Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDF	\$9,876
Cash Match	2,469
In-Kind	7,407
Total Budget	\$19,752

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

\*Resolution #40-18

Consent and Agreement to the Execution of an Order of Provisional Authorization and Designation of an Acting Municipal Court Administrator between the Municipality of Upper Saddle River and the Municipality of Montvale.

WHEREAS, pursuant to N.J.S.A.2C:12-10 the Municipality of Upper Saddle River and the Municipality of Montvale are required to provide for a Municipal Court Administrator; and

WHEREAS, pursuant to N.J.S.A.40A:65-1 et. seq., any municipality of the State of New Jersey may contract with any other municipality or municipalities to share services that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, in accordance with N.J.S.A.2C:12-1 (c) the Municipality of Upper Saddle River and the Municipality of Montvale consent and agree to share the professional services of the Municipal Court Administrators on a provisional basis to undertake the duties of the absent Municipal Court Administrator during scheduled and/or unscheduled leaves, within the two respective municipalities; and

WHEREAS, the rate of pay shall be \$30.00 per hour as established by N.J.S.A.2C:12-10(b), not to exceed \$2,000 annually.

NOW, THEREFORE, BE IT RESOLVED, that the Municipality of Upper Saddle River and the Municipality of Montvale consent to the above agreement.

\*Resolution #41-18

WHEREAS, a Resolution adopting the Updated Rules and Regulations Governing the Administration of the Upper Saddle River Police Department was approved by the Borough Council at a meeting held on February 1, 2018; and

WHEREAS, changes to the Rules and Regulations associated with the New Jersey Association of Chiefs of Police Accreditation Standards have been proposed; and

WHEREAS, Mayor Joanne L. Minichetti as the "Appropriate Authority" has reviewed and signed-off on the changes to the Rules and Regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Upper Saddle River as follows:

1. The Amended Rules and Regulations of the Upper Saddle River Police Department be and are hereby adopted in accordance with Chapter 3, Section 49 of the Revised General Ordinances of the Borough of Upper Saddle River;
2. The Borough Clerk shall forward a certified copy of the this Resolution to the Chief of Police of the Upper Saddle River Police Department;
3. The Chief of the Upper Saddle River Police Department shall serve a copy of the Amended Rules and Regulations of the Upper Saddle River Police Department heretofore adopted by this Resolution upon members of the Upper Saddle River Police Department and any other entity that may require a copy of same for purposes of accreditation.

\*Resolution #42-18

WHEREAS, the following equipment is no longer needed by the Upper Saddle Fire Department; and

WHEREAS, the Mayor and Council are desirous of selling said surplus property in an "as is" condition without express or implied warranties;

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

1. The sale of the surplus property shall be conducted by GovDeals pursuant to New Jersey State Contract A-709667/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and the State of New Jersey.
2. The sale will be conducted online and the address of the auction site is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. A list of the surplus property to be sold is noted below.
5. The surplus property as identified shall be sold in "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Borough of Upper Saddle River reserves the right to accept or reject any bid submitted.

- 1) Fourteen (14) 100 ft. length of 5" hose  
(Purchased 1990)

\*Resolution #44-18

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "2 Park Way Associates, LLC v. Borough of Upper Saddle River", Docket Nos. 005241-2014, 000288-2015, 004114-16, and 000275-2017, which matter involves appeals of the assessment on certain premises known as Block 1301, Lot 13 and being more commonly known as 2 Park Way, for the 2014, 2015, 2016 and 2017 tax years; and

WHEREAS, the parcel is assessed for the 2014, 2015, 2016 and 2017 tax years at \$4,200,000.00; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2014, 2015, 2016 and 2017 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 the appeals filed for the 2014 and 2015 tax years shall be withdrawn.

2. The Stipulation of Settlement shall provide that the assessment for the 2016 tax year on said parcel shall be established at \$4,100,000.00.

3. The Stipulation of Settlement shall provide that the assessment for the 2017 tax year on said parcel shall be established at \$4,000,000.00.

4. 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 #45-18

WHEREAS, the following equipment is no longer needed by the Upper Saddle Police Department; and

WHEREAS, the Mayor and Council are desirous of selling said surplus property in an "as is" condition without express or implied warranties;

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

1. The sale of the surplus property shall be conducted by GovDeals pursuant to New Jersey State Contract A-709667/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and the State of New Jersey.
2. The sale will be conducted online and the address of the auction site is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. A list of the surplus property to be sold is noted below.
5. The surplus property as identified shall be sold in "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
6. The Borough of Upper Saddle River reserves the right to accept or reject any bid submitted.

1) 2008 FORD CROWN VICTORIA VIN.#2FAHP71V38X125451

\*Resolution #46-18

WHEREAS, N.J.S.A.40A:4-19 provides that, where any contract, commitments or payments are to be made prior to the final adoption of the 2018 budget, temporary appropriations should be made for the purpose and the amounts required in the manner and time therein provided; and

WHEREAS, the total appropriation in the 2017 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund and public assistance in said budget, is the sum of \$10,396,689; and

WHEREAS. One quarter of the appropriations in the 2017 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund and public assistance in said budget, is the sum \$2,599,172.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Upper Saddle River in the County of Bergen and State of New Jersey that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

2018 TEMPORARY BUDGET

1-Feb-18

Department	S&W	O/E	Total
Admin	\$ 52,000.00	\$ 27,000.00	\$ 79,000.00
Clerk	\$ 26,000.00	\$ 1,000.00	\$ 27,000.00
Financial	\$ 28,000.00	\$ 25,000.00	\$ 53,000.00
Court	\$ 24,000.00	\$ 5,000.00	\$ 29,000.00
Assessor	\$ 21,000.00	\$ 5,000.00	\$ 26,000.00
Tax Collector	\$ 17,000.00	\$ 1,000.00	\$ 18,000.00
Legal		\$ 40,000.00	\$ 40,000.00
Engineering		\$ 7,000.00	\$ 7,000.00
Planning Board	\$ 3,000.00	\$ 2,000.00	\$ 5,000.00
Zoning Board	\$ 2,000.00	\$ 1,000.00	\$ 3,000.00
Building Dept.	\$ 48,000.00	\$ 5,000.00	\$ 53,000.00
Plumbing sub code	\$ 8,000.00	\$ -	\$ 8,000.00
Insurance-Workers Comp		\$ 84,000.00	\$ 84,000.00
Insurance-Group		\$ 160,000.00	\$ 160,000.00
Insurance-Other		\$ 15,000.00	\$ 15,000.00
Police	\$ 700,000.00	\$ 150,000.00	\$ 850,000.00
Emergency Mgmt		\$ 1,000.00	\$ 1,000.00
Fire		\$ 9,000.00	\$ 9,000.00
Ambulance	\$ 27,000.00	\$ 1,000.00	\$ 28,000.00
Fire Prevention	\$ 12,000.00	\$ 1,000.00	\$ 13,000.00
Prosecutor	\$ 3,000.00	\$ -	\$ 3,000.00
Public Defender	\$ -	\$ 1,000.00	\$ 1,000.00
Shade Tree	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00
Public Works	\$ 140,000.00	\$ 52,000.00	\$ 192,000.00
Recycling		\$ 42,000.00	\$ 42,000.00

Bldg & Grds		\$ 12,000.00	\$ 12,000.00
Sewer		\$ 26,000.00	\$ 26,000.00
Board of Health		\$ 16,000.00	\$ 16,000.00
Senior Cit		\$ 1,000.00	\$ 1,000.00
Recreation	\$ 18,000.00	\$ 8,000.00	\$ 26,000.00
Public Events		\$ 4,000.00	\$ 4,000.00
Utilities		\$ 59,000.00	\$ 59,000.00
Trash Collection		\$ 137,000.00	\$ 137,000.00
Unemployment		\$ 1,000.00	\$ 1,000.00
Social Security		\$ 83,000.00	\$ 83,000.00
Various Reserves		\$ 38,000.00	\$ 38,000.00
Emergency		\$ 279,000.00	\$ 279,000.00
<b>TOTAL WITHIN CAP</b>	<b>\$ 1,130,000.00</b>	<b>\$ 1,300,000.00</b>	<b>\$ 2,430,000.00</b>

**OUTSIDE CAP APPROPRIATIONS**

PERS		\$ 215,000.00	\$ 215,000.00
PFRS		\$ 610,000.00	\$ 610,000.00
DCRP		\$ 5,000.00	\$ 5,000.00
Tax Appeals/Legal		\$ 6,000.00	\$ 6,000.00
Blood Pathogens		\$ 1,000.00	\$ 1,000.00
Public Library		\$ 233,000.00	\$ 233,000.00
Body Armor		\$ 500.00	\$ 500.00
Drunk Driving		\$ 500.00	\$ 500.00
Clean Community		\$ 6,500.00	\$ 6,500.00
OSHA		\$ 3,000.00	\$ 3,000.00
Alcohol Ed. & Rehab		\$ 500.00	\$ 500.00
Municipal Alliance		\$ 3,000.00	\$ 3,000.00
Bond Principal		\$ 400,000.00	\$ 400,000.00
Bond Interest		\$ 6,000.00	\$ 6,000.00
<b>TOTAL OUTSIDE CAP</b>		<b>\$ 1,490,000.00</b>	<b>\$ 1,490,000.00</b>

<b>GRAND TOTAL TEMPORARY BUDGET</b>	<b>\$ 1,130,000.00</b>	<b>\$ 2,790,000.00</b>	<b>\$ 3,920,000.00</b>

\*Resolution #47-18

WHEREAS, the Upper Saddle River Police Department submitted a grant application to the 200 Club of Bergen County; and

WHEREAS, in response to our application, the 200 Club of Bergen County has approved funding in the amount of \$1,200; and

WHEREAS, this award will be used to purchase one (1) gateway router for use by the Upper Saddle River Police Department.

NOW, THEREFORE, BE IT RESOLVED that on behalf of the Mayor and Council and the Upper Saddle River Police Department we thank the 200 Club of Bergen County Appropriations Committee for this award.

\*Motion to approve Tow Companies for 2018, per Police Chief recommendation.

Resolution #43-18 by Councilman DiMartino, seconded by Councilman Ditkoff:

WHEREAS, the Mayor and Council of the Borough of Upper Saddle River feels it is in the best interests of the residents of the Borough to provide a Library Lending Container at Lions Memorial Park; and

WHEREAS, Sara Renee Bakal is working on her Girl Scout Gold Award and has proposed the establishment of such a Lending Container to the Director of the Library who has concurred with her proposal; and

WHEREAS, such a lending container could be placed in the vicinity of the walking path and playground for ease of use by residents; and

WHEREAS, its location and placement would be coordinated through the Superintendent of Public Works, the Director of the Public library and the Recreation Director.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that Sarah Renee Bakal be granted permission to establish a Library Lending Container on municipally-owned property, commonly known as Lions Memorial Park, Block 801, Lot 3.

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

A motion by Councilman Hafner, seconded by Councilwoman Florio to appoint Dr. Yair Kissin to serve on the USR Board of Health to 12/31/20.

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

A motion by Councilman Durante, seconded by Councilman DeBerardine to approve Jr. Firefighter application of Joseph Meehan.

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

A motion by Councilman DiMartino, seconded by Councilman Durante to select Councilman DeBerardine to serve as Council President for the year 2018.

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

RULE 7. Public Comments:

Ms. Sheryl Romano, 420 West Saddle River Road, questioned why the same Judge is assigned to all three municipal cases involving the eruv. Mr. Regan explained it is the Court's determination and not unusual to assign one Judge to similar cases. He said there also may be a limited number of Judges who specialize in land use or common issues.

Mr. Richard Medina, 295 Lake Street reiterated his request to have the meetings live-streamed. Mayor Minichetti said due to privacy issues, residents may not want to be filmed, although a resident of Mahwah films each Council meeting. Councilman Durante said he has no problem with live-streaming the meetings, but

the cost would have to be considered and pointed out the need for the filming to be done professionally in order to avoid anyone from editing the filming.

In response to questions by Mr. Andy Cheman, 327 Lake Street concerning the number of eruvs, Mr. Regan pointed out the Council cannot comment since the matter is in litigation.

Ms. Carolyn Christman, 470 West Saddle River Road asked about the status of the repair to the Lake Road bridge. Mr. Frank Rossi, representative of Boswell Engineering, responded to her questions regarding the elevation of the water and bank stabilization. He said plans are being prepared which will be submitted to the State approximately 4-6 months before the start of the project.

Mr. Hanglim Cho, 8 Elm Court, was informed the Council is not aware of any application concerning the attachment of eruvs. Mr. Cho said if we must approve them, he asked that the eruvs be black and said they should be located 18" below the cable.

In response to Ms. Darlene Mikolajczyk, 57 Karen Drive, Mahwah, NJ who wanted to read a statement, Mayor Minichetti said they would not hear it.

RULE 8. Adjournment:

Resolution by Mr. Regan, seconded by Councilman Ditzkoff to return to Closed Session was unanimously approved by all Council members present. (Meeting adjourned to Closed session at 8:45 p.m.)

Respectfully submitted,

Rose Vido, RMC  
Borough Clerk