

Minutes of End of the Year Meeting of the Mayor and Council held on Thursday, December 27, 2018 at 8:00 A.M. at the Upper Saddle River Borough Hall.

Council President DeBerardine chaired the meeting.

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 Minichetti	Absent
Councilman	Roger DeBerardine	Present
Councilman	Steven DiMartino	Present
Councilman	Jonathan Ditkoff	Absent
Councilman	Vincent M. Durante	Present
Councilwoman	Joanne Florio	Present
Councilman	Thomas Hafner	Present

RULE 2, 3, 5. Passed

RULE 4. Bills:

A motion by Councilman DeBerardine, seconded by Councilman DiMartino to pay bills in the amount of \$253,616.79 was unanimously approved by all Council members present. Council President DeBerardine declared bills approved for payment and ordered checks drawn.

Roll Call: Ayes: Council members DeBerardine, DiMartino, 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 by Councilman Hafner, seconded by Councilwoman Florio to approve Consent Agenda was unanimously approved by all Council members present.

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

*Resolution #132-18

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Kathleen and Douglas Rotella v. Borough of Upper Saddle River", Docket Nos. 004237-2017 and 003480-2018, which matters

involve appeals of the assessment on certain premises known as Block 1007, Lot 23 and being more commonly known as 14 Pembroke Trail, for the 2017 and 2018 tax years; and

WHEREAS, the parcel is assessed for the 2017 and 2018 tax years at \$1,300,000.00; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2017 and 2018 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 filed for the 2017 tax year shall be withdrawn.

2. The Stipulation of Settlement shall provide that the assessment for the 2018 tax year on said parcel shall be established at \$1,200,000.00.

3. 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 #133-18

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Elizabeth Crocitto v. Borough of Upper Saddle River", Docket No. 005859-2018, which matter involves appeal of the assessment on certain premises known as Block 810, Lot 10.02 and being more commonly known as 4 Strawberry Lane, for the 2018 tax year; and

WHEREAS, the parcel is assessed for the 2018 tax year at \$1,100,000.00; and

WHEREAS, said appeal was filed to contest the assessment on the property for the 2018 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 2018 tax year on said parcel shall be established at \$1,000,000.00.

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 #134-18

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Zohara Ozery v. Borough of Upper Saddle River", Docket No. 011130-2016, which matter involves appeal of the assessment on certain premises known as Block 1004, Lot 10 and being more commonly known as 39 Pine Hill Drive, for the 2016 tax year; and

WHEREAS, the parcel is assessed for the 2016 tax year at \$624,100.00; 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 \$500,000.00.

2. The provisions of N.J.S.A. 54:51A-8, commonly known as the "Freeze Act", shall be applicable to and govern the assessment for the 2017 and 2018 tax years.

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 #135-18

From

Muni. Clerk Cont. Svc.	\$ 1,000.00
Muni. Clerk Off. Sup.	500.00
Muni. Clerk Prof. Dues	500.00
Fin. Adm. Cont. Svc.	2,000.00
Tax Coll. S&W	3,000.00
Plan. Bd. Fair Housing	300.00

*Resolution #137-18

WHEREAS, under Chapter 78, enacted in 2011, requires an employee contribute towards the medical health benefits program provided by the municipality; and

WHEREAS, this contribution is to be made as a deduction on each payroll and is based on an employee's length of service and annual salary with the municipality; and

WHEREAS, Patrick Rotella has been employed with the Borough of Upper Saddle River Police Department for the last twenty-three years, the last seven years as Chief of Police;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Upper Saddle River that the payroll deduction for Patrick Rotella's contribution to the medical health benefits program is based on 1.5% of his annual gross income, effective January 1, 2018.

* Motion to approve Fire Dept. membership of Erik Tarbutton.

RULE 7. Public Comments: None.

RULE 8. Adjournment:

A motion to adjourn by Councilman Durante, seconded by Councilman DiMartino was unanimously approved by all Council members present. (Meeting adjourned at 8:15 a.m.)

Respectfully submitted,

Rose Vido, RMC
Borough Clerk