

**AGENDA OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF UPPER SADDLE RIVER
AUGUST 1, 2019 8:00 p.m.**

Moment of Silence – Pledge of Allegiance

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, 2018 by Fax and mail in which the time, place and purpose of the meeting was set forth.

Rule 1. Roll Call:

Mayor Minichetti
Mr. DeBerardine
Mr. DiMartino
Mr. Ditkoff
Mr. Durante
Ms. Florio
Mr. Rotella

Rule 2. Approval of Minutes

Roll Call:

- July 8, 2019 Executive Meeting
- July 8, 2019 Closed Meeting
- July 8, 2019 Regular Meeting

Rule 3. Borough Reports

Borough Clerk's Report:

Police
Fire
Library
Recreation Commission
Environmental Committee
Youth Guidance Council

Department of Public Works
Ambulance Corps
Planning Board
Historic Preservation Commission
Shade Tree Commission

Borough Official's Report:

Borough Attorney
Borough Engineer
Construction Code Official

Other Boards & Commissions:

Municipal Court

Rule 4. Communications, Petitions and Bills:
Motion to Pay Bills:

Roll Call:

Rule 5. Unfinished Business

1. Second reading, Open Public Hearing - **Ord. #7-9**

THE FLOOD DAMAGE PREVENTION ORDINANCE

Roll Call:

2. Second reading, Open Public Hearing – **Ord. #8-19**

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND 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 \$1,850,000 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

Roll Call:

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.

Open to the Public for Consent Agenda Items Only

Motion to Approve Consent Agenda Items

Roll Call:

- *1. Resolution #79-19 Award contract to AJM Contractors, Inc. for 2019 Road Improvement project in amount of \$140,421.50.
- *2. Resolution #80-19 Property Tax Overpayment Refunds
- *3. Resolution #81-19 Cancellation of Stale and Outstanding Checks
- *4. Resolution #82-19 Cancellation of unapproved Trust Funds
- *5. Resolution #83-19 Cancellation of Various Accounts
- *6. Resolution #84-19 Approval of Items of Revenue and Appropriation – 2019 Clean Comm. Grant
- *7. Resolution #85-19 Dedication by Rider – Fire Penalties
- *8. Resolution #86-19 Dedication by Rider – Disposal of Forfeited Property
- *9. Resolution #87-19 Shared Serv. With NBCUA – Sanitary Sewer Jetting Services
- *10. Resolution #88-19 Auth. Agreement with Ramsey for Additional Sewer Allocation
- *11. Motion to approve raffle license #394 to Diabetes Foundation

12. **Introduction of Ordinance #9-19**

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE RELATING TO THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF BERGEN, STATE OF NEW JERSEY, adopted July 5, 2018."

Roll Call:

Rule 7. Public Comment

Rule 8. Adjournment

1. Motion to Adjourn

****Agenda subject to change***

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #79-19
August 1, 2019**

**CONTRACT AWARD TO A.J.M. CONTRACTORS, INC. FOR THE
2019 ROAD IMPROVEMENT PROJECT**

WHEREAS, the Borough of Upper Saddle River advertised that sealed proposals would be received on July 18, 2019 for the 2019 Road Improvement project; and

WHEREAS, in response to said advertisement for proposals, a total of six (6) bids were submitted; and

WHEREAS, a bid submitted by **A.J.M. Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011** was the lowest responsible bidder in an amount of **\$140,421.50**; and

WHEREAS, the submission has been reviewed and found to be in conformance with the specifications;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby award a contract to **A.J.M. Contractors, Inc.** for the 2019 Road Improvement project in the amount of **\$140,421.50**.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for the aforesaid service after same has been prepared by the Borough Attorney.

Moved Second Ayes Nays Absent Abstain

Council Member DeBerardine
Council Member DiMartino
Council Member Ditkoff
Council Member Durante
Council Member Florio
Council Member Rotella

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #80-19
August 1, 2019**

Property Tax Overpayment Refunds

WHEREAS, the Tax Collector has requested that the Mayor and Council approve the following refunds due to overpayments have been made by the following properties and must be refunded as follows:

2017 Property Tax Overpayment Refunds

Block / Lot

204 / 12	\$ 3975.00
207 / 27	\$ 2904.53
210 / 6	\$ 26.35
506 / 3	\$ 2258.00
513 / 24	\$ 3265.00
910 / 1	\$ 148.60
912 / 9	\$ 5213.00

2018 Property Tax Overpayment Refunds

Block / Lot

104 / 25	\$ 457.81
207 / 15	\$ 4807.66
211 / 6	\$ 500.00
302 / 30	\$ 250.00
502 / 13	\$ 6910.75
506 / 2	\$ 3083.01
512 / 36	\$ 598.20
1303 / 5.01	\$ 9031.50

Total **\$ 43,429.41**

NOW, THEREFORE, BE IT RESOLVED, that the the Mayor and Council of the Borough of Upper Saddle River hereby approve the refunds for the above properties and have the Tax Collector adjust the tax records accordingly.

Moved Second Ayes Nays Absent Abstain

Council Member DeBerardine
Council Member DiMartino
Council Member Ditkoff
Council Member Durante
Council Member Florio
Council Member Rotella

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #81-19
August 1, 2019

**RESOLUTION AUTHORIZING THE CANCELLATION OF
STALE & OUTSTANDING CHECKS**

WHEREAS, the Borough of Upper Saddle River has carried on its book balance outstanding checks in the amount of \$21,604.34, which are in excess of six months old; and

WHEREAS, it is necessary to cancel these stale and outstanding checks in order to return these funds to the Operations account of the Current Fund.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River, that the following stale and outstanding checks are hereby cancelled:

Current Fund Bank Account

#22623	\$877.59
#22679	\$854.00

Construction Escrow Bank Account

#1735	\$3,000.00
#1740	\$6,200.00

Other Trust Bank Account

#5408	\$186.00
\$5418	\$500.00
#5460	\$1,000.00
#5599	\$6,416.75
#5871	\$500.00
#5874	\$95.00

General Capital Bank Account

#2986	\$1,850.00
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Public Defender Bank Account

#XXXX	\$125.00
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Total	\$21,604.34
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Moved Second Ayes Nays Absent Abstain

Council Member DeBerardine
Council Member DiMartino
Council Member Ditkoff
Council Member Durante
Council Member Florio
Council Member Rotella

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #82-19
August 1, 2019

**RESOLUTION AUTHORIZING THE CANCELLATION OF
UNAPPROVED TRUST FUNDS**

WHEREAS, permission is required of the Director of the Division of Local Government Services for the establishment of any Trust Funds for any Borough function; and

WHEREAS, the 2018 Annual Audit has identified several Trust Funds which have not received said approval; and

WHEREAS, the Borough now wishes to dispose of these Trust Funds through cancellation and return any funds to the Operations Account of the Current Fund.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River, that the Chief Financial Officer is hereby directed to dissolve the following unapproved Trust Funds and return any available funds to the Operations Account of the Current Fund:

Trust Fund

Easement Vacation	\$417.88
Rental Deposits	\$475.00
Police Recruit Fees	\$7.67
Filming Permits	\$2,000.00
Sewer Connections	\$0.39
Legal Fees – Fair Housing	\$0.25
Miscellaneous	\$11,395.40

Moved Second Ayes Nays Absent Abstain

Council Member DeBerardine
Council Member DiMartino
Council Member Ditkoff
Council Member Durante
Council Member Florio
Council Member Rotella

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #83-19
August 1, 2019

**RESOLUTION AUTHORIZING THE CANCELLATION OF
VARIOUS RESERVE ACCOUNTS**

WHEREAS, in past years the Borough of Upper Saddle River has established various financial reserves for specific purposes; and

WHEREAS, those reserves have remained unchanged for several years; and

WHEREAS, the Borough now wishes to dispose of these reserves through cancellation and return any funds to the Operations Account of the Current Fund.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River, that the Chief Financial Officer is hereby directed to dissolve the following Reserve accounts and return any available funds to the Operations Account of the Current Fund:

Reserve for Assessment Program	\$1,185.00
Reserve for 100 th Anniversary Celebration	\$1,143.00

Moved Second Ayes Nays Absent Abstain

Council Member DeBerardine
Council Member DiMartino
Council Member Ditkoff
Council Member Durante
Council Member Florio
Council Member Rotella

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #84-19
August 1, 2019

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE
& APPROPRIATION - N.J.S.A. 40A:4-87
2019 CLEAN COMMUNITIES GRANT**

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 was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of **2019** in the sum of **\$22,230.05**, which is now available from the NJ Dept. of Environmental Protection.

BE IT FURTHER RESOLVED, that the like sum of **\$22,230.05** is hereby appropriated under the caption **2019 Clean Communities Grant**; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Environmental Protection in the amount of **\$22,230.05**.

Moved Second Ayes Nays Absent Abstain

Council Member DeBerardine
Council Member DiMartino
Council Member Ditkoff
Council Member Durante
Council Member Florio
Council Member Rotella

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #85-19
August 1, 2019

**AUTHORIZATION FOR DEDICATION BY RIDER –
FIRE PENALTIES**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.A.C. 5:30-15 provides for receipt of funds by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 52:27D-192 et seq provides the dedicated revenues anticipated from the penalties assessed for various violations of the Fire Codes are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Fire Penalties / Fines Trust Fund.
2. The Borough Clerk of the Borough of Upper Saddle River is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

oved Second Ayes Nays Absent Abstain

Council Member DeBerardine
Council Member DiMartino
Council Member Ditkoff
Council Member Durante
Council Member Florio
Council Member Rotella

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #86-19
August 1, 2019**

**AUTHORIZATION FOR DEDICATION BY RIDER –
DISPOSAL OF FORFEITED PROPERTY**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.A.C. 5:30-15 provides for receipt of funds by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 2C:64-6 provides that dedicated revenues anticipated from the disposal of forfeited property are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Disposal of Forfeited Property Trust Fund.
2. The Borough Clerk of the Borough of Upper Saddle River is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Moved Second Ayes Nays Absent Abstain

Council Member DeBerardine
Council Member DiMartino
Council Member Ditzkoff
Council Member Durante
Council Member Florio
Council Member Rotella

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #87-19
August 1, 2019

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT WITH
NBCUA FOR SANITARY SEWER JETTING SERVICES**

WHEREAS, the Uniform Shared Services and Consolidation Act, *N.J.S.A. 40A:65-1, et seq.* permits any local unit to enter into an agreement with any other local unit to receive services if each local unit is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Borough of Upper Saddle River (“Borough”) and Northwest Bergen County Utilities Authority (“NBCUA”) wish to enter into an agreement whereby NBCUA will provide to the Borough sanitary sewer jetting services for the years 2019 and 2020; and

WHEREAS, a Shared Services Agreement has been prepared in connection with such service.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that Mayor Joanne L. Minichetti and Borough Clerk Rose Vido be and are hereby authorized to execute the Shared Services Agreement on behalf of the Borough.

	Moved	Second	Ayes	Nays	Absent	Abstain
Council Member DeBerardine						
Council Member DiMartino						
Council Member Ditkoff						
Council Member Durante						
Council Member Florio						
Council Member Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #88-19
August 1, 2019**

**RESOLUTION AUTHORIZING AGREEMENT WITH THE BOROUGH OF
RAMSEY FOR ADDITIONAL SEWER ALLOCATION**

WHEREAS, the Borough of Upper Saddle River (“Borough”) and the Borough of Ramsey (“Ramsey”) are parties to an Agreement dated June 18, 1979 which pertains to certain properties in Upper Saddle River connected to and being serviced by the Ramsey Sewer System; and

WHEREAS, a subsequent Decision in *Dynasty Building Corporation v. Borough of Upper Saddle River*, 267 N.J. Super. 611 (App. Div. 1993), certif. den. 135 N.J. 467 (1994) Ramsey is obligated, pursuant to said Decision, to provide certain sanitary sewer service to certain properties within the Borough; and

WHEREAS, Ramsey is required to provide a sanitary sewer connection to certain properties in the Borough; and

WHEREAS, pursuant to the *Dynasty* Decision and a Consent Order issued by the Honorable James T. Murphy on May 16, 1994 requires Ramsey to provide 9,000 gallons of sewer allocation to the Borough; and

WHEREAS, an Agreement has been prepared which details an agreement between the two Boroughs in connection with the additional sewer allocation to be provided by the Borough by Ramsey to the Borough.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that Mayor Joanne L. Minichetti and Borough Clerk Rose Vido be and are hereby authorized to execute the Agreement as described aforesaid.

	Moved	Second	Ayes	Nays	Absent	Abstain
Council Member DeBerardine						
Council Member DiMartino						
Council Member Ditkoff						
Council Member Durante						
Council Member Florio						
Council Member Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on August 1, 2019.

Joy C. Convertini, R.M.C., Deputy Borough Clerk

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE RELATING TO THE COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF BERGEN, STATE OF NEW JERSEY, adopted July 5, 2018.

ORDINANCE # 9-19

POSITION	SALARY	COMPENSATION RANGE
Borough Administrator*	127,350.00	
Borough Clerk/Adm. Asst.*	94,013.00	
Tax Assessor P/T*	55.60 per hr.	
Secy. To Tax Assessor*	42,750.00	
Tax Assessor Consultant	4,600.00	
CFO/Tax Collector*	86,730.00	
Borough Attorney*	74,480.00	
DPW Utilityman P/T*		16.50-25.50 per hr.
DPW Superintendent*	94,790.00	
DPW Foreman*	82,000.00	
DPW Utilityman F/T*		40,000.00 – 71,000.00
Administrative Assistant*	40,950.00	
A&E Clerk*	35,490.00	
Finance/Acct. Payable*	58,300.00	
Staff Accountant*	43.25 per hr.	
Registrar/Bd. of Health	5,750.00	
Construction Official*	111,093.00	
Property Maintenance*	28.50 per hr.	
Zoning Officer P/T*	28.50 per hr.	
Plumbing Subcode P/T*		35.00-41.00 per hr.
Construction Control*	41,425.00	
Construction Control P/T*		25.00 per hr.
Judge-Municipal Court***	12,480.00	370.00 per special session/170.00 thereafter
Borough Prosecutor***	9,500	310.00 per special session-3hrs./220.00 thereafter
Court Administrator*	54,200.00	
Violations Clerk P/T*		17.00-21.00 per hr.
Borough Engineer*	3,950.00	
Shade Tree Clerk*	3,350.00	
Housing Clerk/Municipal Housing Liaison/Affordable Housing Clerk	5,200.00	
Combined Planning/Zoning Bd*	24,610.00	
Planning Board Engineer*	2,170.00	
Planning Board Attorney*	3,830	160.00 per hr.

Recreation Director*	68,790.00	
Boro Newsletter Coordinator*	3,000.00	
EMT*		13.00-19.00 per hr.
Fire Prevention Inspector P/T*	2,660.00	
Fire Prevention Official P/T*	4,640.00	
Qualified Purchasing Agent*	3,300.00	
Radio Dispatcher F/T*		39,800.00-48,590.00
Radio Dispatcher P/T*		16.75-21.30 per hr.
Administrative Assistant PD*	57,585.00	
Police Matrons*	47.75 per hr.	
Police Chief*	183,570.00	
Deputy Borough Clerk*	87,500.00	
Section 2-3,5-10. These sections shall remain the same as salary ordinance adopted July 5, 2018.		
Section 4. Borough officers and employees with the approval of their respective department heads or committee chairman, be reimbursed for use of their automobiles on Borough business at the rate of forty cents (\$.40) per mile and other actual expenses in the performance of their duties and for attendance at approved conferences and meetings.		
Section 11. This ordinance shall take effect when passed and published according to law and shall be retroactive to January 1, 2019 except for those employees covered by agreements or contracts or for employees whose period of employment commenced after January 1, 2019.		
*Semi-monthly	**Monthly	***Quarterly

Notice is hereby given that the above Ordinance was introduced at a Regular Meeting of the Mayor and Council on August 1, 2019 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 September 5, 2019 at 8:00 pm at the Borough Hall, 376 West Saddle River Road, Upper Saddle River, NJ at which time and place all persons interested therein will be given an opportunity to be heard concerning same.

Rose Vido, RMC

Borough Clerk