

**MINUTES OF THE SPECIAL MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF UPPER SADDLE RIVER
January 27, 2020 8:00 p.m.**

PRESENT: Mayor Minichetti, Council Members DiMartino, Durante, Ditzkoff, Florio: Borough Administrator Preusch and Attorney Regan

ABSENT: Council Members DeBerardine & Rotella

PRESIDING: Mayor Minichetti called the meeting to order at 8:00 p.m.

Moment of Silence/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 January 20, 2020 by email in which the time, place and purpose of the meeting was set forth.

RULE 1. ROLL CALL

Mayor	Joanne L. Minichetti	Present
Council Member	Roger DeBerardine	Absent
Council Member	Steven DiMartino	Present
Council Member	Jonathan Ditzkoff	Present
Council Member	Vincent M. Durante	Present
Council Member	Joanne Florio	Present
Council Member	Douglas Rotella	Absent

RULE 2, 3, 4 & 5 PASSED

RULE 6. NEW BUSINESS

Consent Agenda:

All items listed 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.

A motion to approve the Consent Agenda items offered by Council Member Durante. Seconded by Council Member DiMartino.

Roll Call Vote: AYES, Unanimous

- *1. Resolution #19-20 Appoint Darryl DeMott – Fire Inspector**
- *2. Resolution #20-20 Appoint James Dougherty – Fire Inspector**
- *3. Resolution #21-20 Appoint Mark Vogelsang – Fire Official**

OPEN TO THE PUBLIC (Consent Agenda Items Only): No one wished to be heard.

At this time, Mayor Minichetti introduced Ed Buzak, Esq., Special Counsel on Affordable Housing, and Borough Planner Joe Burgis.

Mr. Buzak explained that the Borough of Upper Saddle River has been working to resolve the Declaratory Judgement Action with the Fair Share Housing Center(FSHC) regarding the affordable housing obligation and how it will be satisfied. A settlement has been approved by FSHC and an agreement is pending.

Mr. Burgis presented a Power Point Presentation, entitled 2020 Upper Saddle River Housing Element and Fair Share Plan, outlining how the affordable housing obligation was established and how the Borough will satisfy this obligation.

The third-round obligation was determined to be 529 units; as the Borough is fully developed, it was entitled to a Vacant Land Adjustment as well as environmental exclusions. This leaves the Borough with a Realistic Development Potential (RDP) of 78 units.

Specific locations, both in prior rounds and in the third obligation, were outlined and discussed.

An overview of the Borough's plan components was discussed in detail, outlining how prior obligations were satisfied and how the Borough will address its unmet need. A mandatory Affordable Housing Set-Aside Ordinance will be adopted moving forward.

Mr. Burgis stated that this plan is beneficial to Upper Saddle River and does not negatively impact the character of the community.

Mr. Buzak explained the Regional Contribution (RCA) to Jersey City in the first- round obligation. 17 units were transferred to Jersey City; Regional Contributions were prohibited in 2008.

OPEN TO THE PUBLIC:

Joseph Cadillac, 68 Brookside Drive addressed the former Creative Gardens Nursery property on East Saddle River and stated that a sewer connection would be necessary and asked how the Borough would provide same. The Borough has an agreement with the Northwest Bergen Utility Authority but they would not provide a sewer connection for the subject property, as it is not covered in this agreement.

Resolution #22-20 Authorize Agreement between the Borough of Upper Saddle River and the Fair Share Housing Center. A motion to approve was offered by Council Member Durante
Seconded by Council Ditkoff.

Roll Call Vote: AYES, Unanimous

Mayor Minichetti stated that, although Council Members DeBerardine and Rotella are not present, both are in favor of this agreement.

Mr. Buzak stated that a Fairness Hearing will be held in Hackensack, NJ so the court can review the terms of the settlement. A Judgement of Compliance and Repose will be granted to the Borough once the agreement has been approved at the Fairness Hearing.

RULE 7. PUBLIC COMMENT

Jess DeGaetano, 36 Cottage Lane inquired about the property at the end of Cottage Lane and was inquiring if it was still unsuitable for development. In 1992, the subject property was declared wetlands by the NJDEP and no applications have been submitted for development since that time.

RULE 8. ADJOURNMENT

A motion to adjourn was made and seconded. Members present unanimously approved. The meeting concluded at 8:40 p.m.

Respectfully submitted,

Joy C. Convertini, RMC
Municipal Clerk