

**AGENDA OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF UPPER SADDLE RIVER
APRIL 2, 2020 8:00 p.m.**

**Meeting to be held Digitally due to
Public Health Crisis – COVID-19**

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 19, 2019 by email which the time, place and purpose of the meeting was set forth.

Rule 1. Roll Call:

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

Rule 2. Approval of Minutes

Roll Call:

- March 5, 2020 Regular Meeting
- March 5, 2020 Closed Meeting
- March 5, 2020 Executive Meeting

Rule 3. Pass

Rule 4. Communications, Petitions and Bills:

Motion to Pay Bills:

Roll Call:

Rule 5. Pass

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.

Motion to Approve Consent Agenda Items:

Roll Call:

- *1. Resolution #57-20 Resolution to Redeem Third Party Tax Lien
- *2. Resolution #58-20 Utilizing an Alternate Method of Calculating the Reserve for Uncollected Taxes
- *3. Resolution #59-20 CFO Certification of Municipal Budget
- *4. Resolution #60-20 Emergency Temporary Appropriation
- *5. Resolution #61-20 Authorizing 2020 Municipal Budget to be Read by Title Only

*6 Introduction of Ordinance 01-20 **An Ordinance to Establish a Cap Bank**

7. Resolution #62-20 Introduction of 2020 Municipal Budget **Roll Call:**

Rule 7. Public Comment

Rule 8. Adjournment

Motion to Adjourn

Roll Call:

Agenda subject to change

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #57-20
April 2, 2020**

RESOLUTION TO REDEEM THIRD PARTY TAX LIEN

WHEREAS, the Tax Collector has advised that payment has been received in the amount of **\$ 23,550.78** to redeem **TTL(s) # 19-00006** and subsequent taxes on Block 1302 Lot 13, located at **174 Rt 17, Upper Saddle River**, within the Borough, and

WHEREAS, **Rothman Realty 1, LLC** is the holder of said Certificate **TTL # 19-00006** and is therefore entitled to payment of **\$ 23,550.78**; and

WHEREAS, the lienholder also paid a premium at the time of purchase and is entitled to a refund of same in the amount of **\$ 17,100.00**.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey to issue a check in the amount of **\$ 40,650.78**, payable to the abovenamed lienholder, representing the redemption amount of said Certificate and a refund of the premium.

Moved Second Ayes Nays Absent Abstain

Council Member DeFuccio
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 April 2, 2020.

Joy C. Convertini, R.M.C.
Municipal Clerk

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #58-20
April 2, 2020

UTILIZING AN ALTERNATE METHOD OF CALCULATING THE
RESERVE FOR UNCOLLECTED TAXES

WHEREAS, N.J.S.A. 40A:4-41d permits the Director of the Division of Local Government Services to promulgate rules and regulations to permit a three-year average to be utilized in calculating the reserve for uncollected taxes in lieu of the preceding year's tax collection rate, and

WHEREAS, the 2019 tax collection rate was lower than prior years due to the current economic conditions, and

WHEREAS, the governing body of the municipality may elect to calculate the reserve for uncollected taxes by using the average of the percentages of taxes levied which were received in cash by the last day of the each of the three preceding fiscal years, and

WHEREAS, election of this choice shall be made by resolution, approved by a majority vote of the full membership of the governing body prior to the adoption of the municipal budget, and

WHEREAS, it is in the best interest of the taxpayers of the Borough of Upper Saddle River that the Borough utilize this alternate method of calculating the reserve for uncollected taxes.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body that the Borough of Upper Saddle River utilize a rate of 98.81% which is higher than the CY 2019 collection rate.

Moved Second Ayes Nays Absent Abstain

Council Member DeFuccio
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 April 2, 2020.

Joy C. Convertini, R.M.C.
Municipal Clerk

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #59-20
April 2, 2020**

CFO Certification - Self Examination of Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Upper Saddle River has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2020 budget year, so now therefore;

BE IT RESOLVED, by the Borough Council of the Borough of Upper Saddle River that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A.40A:4-45.3 et seq. are fully met (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by Local Budget Law and N.J.A.C.5:30-4 and N.J.A.C.5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated.
 - b. Items of appropriation are properly set forth.

c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-45.3 et.seq. shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES.

Certification of Approved Budget:

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Date _____

By _____
James Mangin, CFO

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C.5:30 7.6e).

Moved Second Ayes Nays Absent Abstain

**Council Member DeFuccio
Council Member DiMartino
Council Member Ditkoff
Council Member Durante
Council Member Florio
Council Member Rotella**

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #60-20
April 2, 2020**

EMERGENCY TEMPORARY APPROPRIATION

**Prior to the Adoption of the budget
Per N.J.S.A. 40A:4-20**

WHEREAS, an emergency condition has arisen with respect to the need to make payments for operating expenses prior to the adoption of the budget, and no adequate provision has been made in the 2020 temporary budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, 26.25% of the total appropriations in the 2019 Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements, and public assistance is \$3,106,053.30; and

WHEREAS, the Mayor and Council of the Borough of Upper Saddle River adopted Resolution #06-20 on January 2, 2020 approving a temporary 2020 budget in the amount of \$2,574,425; and

WHEREAS, the total emergency temporary appropriations adopted in the year pursuant to the provision of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951 amended) including this resolution total \$3,618,425.

NOW THEREFORE BE IT RESOLVED, (not less than two-thirds of all members therefore affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

TEMPORARY BUDGET APPROPRIATION		S&W	O/E	TOTAL
General Administration	0-01-20-701	40,000	19,000	59,000
Financial Admin	0-01-20-705	60,000		60,000
Tax Collection	0-01-20-708	11,000	2,000	13,000
Tax Assessment	0-01-20-710		2,000	2,000
Planning Bd.	0-01-21-720	500		500
Zoning Bd of Adj	0-01-21-721	500		500
Building Inspection	0-01-22-725	25,000		25,000
Plumbing Sub-Code	0-01-22-726	5,000		5,000
Workers' Compensation	0-01-23-732		1,000	1,000
Group Insurance	0-01-23-733		60,000	60,000
Other Insurance	0-01-23-735		60,000	60,000
Police	0-01-25-745	320,000	10,000	330,000

Ambulance	0-01-25-750	12,000		12,000
DPW	0-01-26-765	60,000	12,000	72,000
Recycling	0-01-26-770		25,000	25,000
Buildings / Grounds	0-01-26-772	3,000	2,000	5,000
Recreation	0-01-28-795	7,000	6,000	13,000
Telecommunications	0-01-31-720		500	500
Solid Waste Collection	0-01-32-827		47,000	47,000
Solid Waste Disposal	0-01-32-827		15,000	15,000
Municipal Court	0-01-33-830	8,000		8,000
Unemployment	0-01-36-834		500	500
Social Security	0-01-36-837		70,000	70,000
Reserve for Sick Days	0-01-40-306		30,000	30,000

2. That said emergency appropriation will be provided for in the 2020 operating budget in full.
3. That three certified copies of this resolution be filed with the Director of the Division of Local Government Services.

	Moved	Second	Ayes	Nays	Absent	Abstain
Council Member DeFuccio						
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 April 2, 2020.

Joy C. Convertini, Municipal Clerk

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #61-20
April 2, 2020**

Authorizing 2020 Municipal Budget to be Read by Title Only

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted, and
- b) is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, the Borough of Upper Saddle River has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year ending December 31, 2020.

Moved Second Ayes Nays Absent Abstain

**Council Member DeFuccio
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 April 2, 2020.

Joy C. Convertini, Municipal Clerk

Ordinance # 01-20

BOROUGH OF UPPER SADDLE RIVER BERGEN COUNTY, NEW JERSEY CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Upper Saddle River in the County of Bergen finds its advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.0% increase in the budget of said year, amounting to \$100,700 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Upper Saddle River, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Upper Saddle River shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$352,451, and that the CY 2020 municipal budget for the Borough of Upper Saddle River be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced by _____

Approved _____, 2020

Seconded by _____

ATTEST:

Joy Convertini, Borough Clerk

Joanne L. Minichetti, Mayor

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #62-20
April 2, 2020**

**MUNICIPAL BUDGET OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF
BERGEN, NEW JERSEY FOR THE FISCAL YEAR 2020.**

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the Borough of Upper Saddle River, Bergen County, New Jersey for the year 2020.

BE IT FURTHER RESOLVED, that the said budget be published in The Record in the issue of April 20, 2020 and that a hearing on the Budget will be held at the Municipal Building on May 7, 2020 at 8:00 o'clock (P.M.) or as soon thereafter as the matter may be reached.

Moved Second Ayes Nays Absent Abstain

**Council Member DeFuccio
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 April 2, 2020.

Joy C. Convertini, Municipal Clerk

2020 MUNICIPAL BUDGET
of the Borough of Upper Saddle River
County of Bergen
for the fiscal year 2020

Revenue and Appropriation Summaries

Summary of Revenues	Anticipated	
	2020	2019
1. Surplus		
2. Total Miscellaneous Revenues	646,394	570,756
3. Receipts from Delinquent Taxes	1,971,565	2,612,932
4. Local Tax for Municipal Purposes	660,000	364,000
Total General Revenues	10,196,306	9,444,627
	13,474,265	12,992,315

Summary of Appropriations	2020 Budget	2019 Budget
1. Operating Expenses: Salaries & Wages	5,222,558	5,206,682
Other Expenses	4,761,000	4,571,324
2. Deferred Charges & Other Appropriations	1,637,020	1,576,808
3. Capital Improvements	330,000	50,000
4. Debt Service (Include for School Purposes)	867,687	1,087,501
5. Reserve for Uncollected Taxes	656,000	500,000
Total General Appropriations	13,474,265	12,992,315
Total Number of Employees	59	59

Debt Information - Bonds and Notes				
	General	Water Utility	Sewer Utility	Utility - Other
Interest on Bonds	161,483	N/A	N/A	N/A
Interest on Notes	221,204			
Principal on Bonds	485,000			
Principal on Notes				
Outstanding Balance Notes - 12/31/19	10,175,967			
Outstanding Balance Bonds - 12/31/19	4,245,000			