

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF UPPER SADDLE RIVER  
December 3, 2020 8:00 p.m.**

*Meeting held via video conferencing  
due to public health crisis – Covid19*

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

**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 December 19, 2019 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	DeAnne DeFuccio	Present
Council Member	Steven DiMartino	Present
Council Member	Jonathan Ditkoff	Present
Council Member	Vincent M. Durante	Present
Council Member	Joanne Florio	Present
Council Member	Douglas Rotella	Absent

**Recognition of USRA Coalition Student Video Contest Winners**

The following students were the winners of the USRA Video Contest:  
Sarah Renee Bakal (Winner), William Damiani (Honorable Mention), Luca Sanchez (Honorable Mention), Sienna Schrier (Honorable Mention), Marielle Hanna (Honorable Mention)

**Affordable Housing Obligation Power Point Presentation:** Borough Planner Joseph 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.

**OPEN TO THE PUBLIC:** Eric Friis, 4 Sparrowbush Road asked how the Borough minimized the housing need number and Mr. Burgis explained this in detail. Through a vacant land adjustment and meeting with Fair Share Housing, the Borough's housing obligation was reduced from 529 units to 78 units. Mr. Friis also asked about the minimum size permitted for an affordable unit; Mr. Burgis addressed this.

Rue Eisen, 130 Lake Street asked about utilizing the Creative Garden property on East Saddle River Road for Affordable units. She was advised that the property is mostly undevelopable due to wetlands.

An email was read from Mr. Don Eisen asking what happens to the Borough's obligation if property owners chose not to re-develop their property. Mr. Burgis stated that the Borough is only responsible for providing the zoning that would enable the units to be built.

**RULE 2. APPROVAL OF MINUTES**

The following minutes were delivered to all members of the governing body, posted on the bulletin board and were unanimously approved following a motion by Council Member Durante, seconded by Council Member Florio.

**November 5, 2020:** Regular Meeting, Executive Meeting, Closed Session Meeting

**Roll Call Vote: AYES, Unanimous**

**RULE 3. BOROUGH CLERK’S REPORT**

The Borough Clerk’s office received the following fees for the month of November 2020 and deposited them with the Collector/Treasurer:

Landscaper Licenses	\$ 300.00
Copies	\$ 5.35
Garage Sales	\$ 8.00
200 Foot List	<u>\$ 20.00</u>
	<b>\$ 333.35</b>

The Borough Clerk’s office issued 3 licenses for the month of November 2020; **\$3.60** was forwarded to the NJ department of Health for the Pilot Clinic and Animal Control Fund.

Proof of publications received:

1. Introduction of Ordinances as follows:

- ❖ Ordinance #9-20 Sports Courts (Additional Standards)
- ❖ Ordinance #10-20 Affordable Housing
- ❖ Ordinance #11-20 Establish Overlay Zone One
- ❖ Ordinance #12-20 Establish Overlay Zone Two
- ❖ Ordinance #13-20 Establish Overlay Zone Three
- ❖ Ordinance #14-20 Establish Overlay Zone Four
- ❖ Notice of Tax Sale
- ❖ Request for Qualifications for 2021

The following reports were received and are on file for the month of November:

- |                           |                           |
|---------------------------|---------------------------|
| 1) Police Report          | 4) Construction Report    |
| 2) DPW Report             | 5) Municipal Court Report |
| 3) Fire Department Report |                           |

**RULE 4. COMMUNICATIONS, PETITIONS AND BILLS**

<b>Communications:</b>	NWBCA Special Meeting Agenda	December 8, 2020
	NWBUA Work Session Agenda	December 8, 2020
	NWBUA Regular Meeting Agenda	December 8, 2020

**Approval of Bills:** A motion by Council Member DiMartino, seconded by Council Member Durante to pay bills in amount of \$3,516,876.15 was unanimously approved and Mayor Minichetti declared bills approved for payment and ordered checks drawn.

**Roll Call Vote: AYES, Unanimous**

**RULE 5. UNFINISHED BUSINESS**

**Public Hearing:** **Ordinance #09-20:**

**An Ordinance to Amend Chapter 150 of the Code of the Borough of Upper Saddle River Entitled "Zoning" to Provide Additional Standards Pertaining to Sports Courts**

Resolution Offered by Council Member DiMartino  
Seconded by Council Member Durante

**OPEN TO THE PUBLIC: No one wished to be heard**

**Roll Call: AYES, Unanimous**

**Public Hearing:** **Ordinance #10-20**

**An Ordinance Replacing Chapter 63, "Housing, Affordable," in the Borough of Upper Saddle River Code to Address the Requirements of the Fair Housing Act and Uniform Housing Affordability Controls ("UHAC") Regarding Compliance with the Borough's Affordable Housing Obligations, Mandatory Set-Aside Requirements and Development Fees**

Resolution Offered by Council Member Durante  
Seconded by Council Member DeFuccio

**OPEN TO THE PUBLIC: No one wished to be heard**

**Roll Call: AYES, Unanimous**

**Public Hearing:** **Ordinance #11-20**

**An Ordinance to Amend and Supplement Chapter 150, Zoning, of the Borough of Upper Saddle River, Bergen County, New Jersey to Establish a New Overlay 1 (OL-I) Zone**

Resolution Offered by Council Member Florio  
Seconded by Council Member DiMartino

**OPEN TO THE PUBLIC: No one wished to be heard**

**Roll Call: AYES, Unanimous**

**Public Hearing:** **Ordinance #12-20**

**An Ordinance to Amend and Supplement Chapter 150, Zoning, of the Borough of Upper Saddle River, Bergen County, New Jersey to Establish a New Overlay 2 (OL-2) Zone**

Resolution Offered by Council Member Florio  
Seconded by Council Member DeFuccio

**OPEN TO THE PUBLIC: No one wished to be heard**

**Roll Call: AYES, Unanimous**

**Public Hearing:** **Ordinance #13-20**

**An Ordinance to Amend and Supplement Chapter 150, Zoning, of the Borough of Upper Saddle River, Bergen County, New Jersey to Establish a New Overlay 3 (OL-3) Zone**

Resolution Offered by Council Member Durante  
Seconded by Council Member DiMartino

**OPEN TO THE PUBLIC: No one wished to be heard**

**Roll Call: AYES, Unanimous**

**Public Hearing:** **Ordinance #14-20**

**An Ordinance to Amend and Supplement Chapter 150, Zoning, of the Borough of Upper Saddle River, Bergen County, New Jersey to Establish a New Overlay 4 (OL-4) Zone**

Resolution Offered by Council Member DeFuccio  
Seconded by Council Member Durante

**OPEN TO THE PUBLIC: No one wished to be heard**

**Roll Call: AYES, Unanimous**

**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.

Motion to approve the Consent Agenda items offered by Council Member DeFuccio  
Seconded by Council Member DiMartino

- \*1. **Resolution #133-20 Hillside Avenue Bridge**
- \*2. **Resolution #134-20 Redeem Third Party Tax Lien Blk. 1302 Lot 13**
- \*3. **Resolution #135-20 Property Tax Overpayment Refund Blk. 1304 Lot 6.03**
- \*4. **Resolution #136-20 Property Tax Overpayment Refund Blk. 1302 Lots 8.02 & 8.03**
- \*5. **Resolution #137-20 Property Tax Overpayment Refund Blk. 1010 Lot 7**
- \*6. **Resolution #138-20 Cancellation of Interest**

- \*7. Resolution #139-20      **Transfer of Funds**
- \*8. Resolution #140-20      **Cancellation of Capital Improvement Authorization Balances**
- \*9. Resolution #141-20      **Cancellation of Balance of USR Housing Corp. Account**
- \*10. Resolution #142-20      **Cancellation of Misc. Reserve Balances – Other Trust Fund (Escrow)**
- \*11. Resolution #143-20      **ABC Pocket License Renewal – East Crescent Development Group**
- \*12. Resolution #144-20      **Authorizing 1033 Program for USRPD**
- \*13. Resolution #145-20      **Approval of Spending Plan for Affordable Housing Trust Fund (Third Round)**

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

**Roll Call Vote: AYES, Unanimous**

**RULE 7. PUBLIC COMMENT**

Eric Friis, 4 Sparrowbush Road asked about an in-depth description on the individuals that committed a crime against an elderly woman in the Borough. This request will be sent to the Police Department. Mr. Friis stated that he did not feel that residents were in favor of a recreation facility at the new One Lake Street development. He asked if there would be a public referendum on this project. The Council were in agreement that this project would be beneficial to residents and their property values.

Sheryl Romano, 421 West Saddle River Road asked if the Borough has reached out to a property owner on Hillside Avenue to see if he had any interest in selling a portion of this land. As this matter is currently being addressed with the property owner, a discussion of this matter cannot take place at this time.

**RULE 8. ADJOURNMENT**

A motion to adjourn by was made, seconded and was unanimously approved by all Council members present.

Respectfully submitted,

Joy C. Convertini, RMC, Municipal Clerk