

**MINUTES OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF UPPER SADDLE RIVER
June 3, 2021 8:00 p.m.**

*Meeting held via teleconference
due to COVID19*

PRESIDING: Borough Administrator Preusch called the meeting to order at 8:00 p.m.

Moment of Silence/Pledge of Allegiance

Proclamation in Recognition of LGBTQ Month – June 2021: Mayor Minichetti read this proclamation, recognizing June 2021 as LGBTQ Month in Upper Saddle River.

Proclamation in Recognition of National Gun Violence Awareness Day in Upper Saddle River June 4, 2021: Mayor Minichetti read this proclamation, recognizing June 4, 2021 as National Gun Violence Awareness Day in Upper Saddle River on June 4, 2021.

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 15, 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	Steven DiMartino	Present
Council Member	Jonathan Ditkoff	Present
Council Member	Vincent M. Durante	Present
Council Member	Arman Fardanesh	Present
Council Member	Joanne Florio	Present
Council Member	Douglas Rotella	Present

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.

May 6, 2021: Executive, Closed and Regular Meetings

Roll Call Vote: AYES, Unanimous

RULE 3. BOROUGH CLERK'S REPORT

The Borough Clerk's office received the following fees for the month of May 2021 and deposited them with the Collector/Treasurer:

Landscaper Licenses	\$ 600.00
Garage Sales	\$ 8.00
	\$ 608.00

The Borough Clerk's office issued 10 licenses for the month of May 2021; **\$12.00** was forwarded to the NJ department of Health for the Pilot Clinic and Animal Control Fund.

Proof of publications received:

- ❖ Introduction of Ordinance #07-21: Establish CAP Bank
- ❖ Introduction of 2021 Municipal Budget
- ❖ Adoption of Ordinance #04-21: Vehicle Charging Stations
- ❖ Adoption of Ordinance #06-21: Sewage Disposal Individual

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

Communications: NBCUA Minutes April 20, 2021
NBCUA Agenda May 18, 2021
NBCUA Public Hearing May 18, 2021

Approval of Bills: A motion by Council Member DiMartino, seconded by Council Member Durante to pay bills in amount of **\$3,898,400.55** was unanimously approved and Mayor Minichetti declared bills approved for payment and ordered checks drawn.

Roll Call Vote: AYES, Unanimous

RULE 5. UNFINISHED BUSINESS

1. Second Reading, – **Ordinance #05-21**

AN ORDINANCE BY THE BOROUGH OF UPPER SADDLE RIVER IN THE COUNTY OF BERGEN, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING ARTICLE VIII, SECTION 150-39, PROHIBITED USES, OF THE BOROUGH CODE

Public Hearing held on May 6, 2021. Ordinance reviewed by the Planning Board and approved on May 12, 2021.

Resolution Offered by Council Member Durante
Seconded by Council Member Florio

Roll Call: AYES, Unanimous

2. Second Reading, Open Public Hearing – **Ordinance #07-21**

CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)

Resolution Offered by Council Member Durante
Seconded by Council Member DiMartino

OPEN TO THE PUBLIC:

Eric Friis, 4 Sparrowbush Road asked for a detailed explanation on Ordinance #07-21. CFO Jim Mangin explained that budget appropriations cannot exceed the cost of living, which is determined by the State on an annual basis.

Rue Eisen, 130 Lake Street asked about the frequency of adopting this ordinance and she was informed that it was done on an annual basis.

Roll Call: AYES, Unanimous

3. **Resolution #101-21**, Public Hearing on **Adoption of 2021 Municipal Budget**

Motion Offered by Council Member Durante
Seconded by Council Member DiMartino

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

Roll Call: AYES, Unanimous

RULE 6. NEW BUSINESS

Consent Agenda:

All items listed with an asterisk (*) 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 Ditzkoff
Seconded by Council Member Florio

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

- *1. Resolution #102-21 Renewal of ABC Plenary Retail Distribution – Upper SR Liquors LLC
- *2. Resolution #103-21 Renewal of ABC Pocket License East Crescent Development
- *3. Resolution #104-21 Professional Serv. Agmt. Retain Todd Bakal, Esq. Lake Rd. Bridge
- *4. Resolution #105-21 Professional Serv. Agmt. Retain Brian Quinn, Esq. Hillside Mikvah
- *5. Resolution #106-21 Release of Performance/Restoration Bond – Mack-Cali Realty, LP
- *6. Resolution #107-21 Tax Appeal Settlement Blk. 205 Lot 12
- *7. Resolution #108-21 Granting Permission to Maintain Fence in 25 ft. Drainage Easement
(Blk. 502 Lot 8) Hold Harmless Agreement
- *8. Resolution #109-21 Authorizing Tax Collector to Send Estimated Tax Bills
- *9. Resolution #110-21 Authorization to Submit COPS Hiring Grant
- *10. Resolution #111-21 Change Order – 2020 Road Paving Program
- *11. Resolution #112-21 Return of Escrow Funds
- *12. Resolution #113-21 Appointment of Part Time Dispatcher Jonathan Huber
- *13. Resolution #114-21 Renewal of ABC Pocket License Beso XOXO

Motion to Approve Consent Agenda Items:

Roll Call Vote: AYES, Unanimous

*Introduction of Ordinance #08-21

AN ORDINANCE TO AMEND CHAPTER 100 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, "PEACE AND GOOD ORDER".

Offered by Council Member Durante
Seconded by Council Member DiMartino

Roll Call Vote: AYES, Unanimous

*Motion to Approve Raffle License #408 Saddle River Lion's Club Charities 50/50
September 27, 2021

Offered by Council Member Durante
Seconded by Council Member Florio

Roll Call Vote: AYES, Unanimous

RULE 7. PUBLIC COMMENT

Eric Friis, 4 Sparrowbush Road, Upper Saddle River, NJ asked if the appointment of Arman Fardanesh as a Council Member was a conflict of interest as he is also the Chief of the USR Fire Department. Borough Attorney Regan stated that it is not a conflict of interest and, should the situation arise where issues or purchases pertaining to the Fire Department were before the Mayor and Council, he would recuse himself from the matter. Mr. Friis asked about the proposed cemetery on Hillside Avenue in the Town of Ramapo. He was informed that special counsel has been retained to deal with issues in this area. He also asked about signs installed by members of the assembly on roadways in Upper Saddle River. He was informed that these signs are located on County roads are out of the Borough's purview.

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