

**Meeting held via Zoom**  
**ZOOM SIGN ON INFORMATION**

**Computer:** Link:

<https://zoom.us/j/842319706>

Meeting ID: **842-319-706**

**Phone:** 1-669-900-6833 or

1-877-853-5247

Then dial meeting ID (842-319-

706) followed by #, then #, #9 to raise hand.

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

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

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

❖ **Housing Element & Fair Share Power Point Presentation  
Joe Burgis, Borough Planner**

**Rule 2. Approval of Minutes**

**Roll Call:**

- November 5, 2020 Regular Meeting, Executive Meeting, Closed Session Meeting

**Rule 3. 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 - **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**

**Roll Call:**

2. Second reading, Open 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**

**Roll Call:**

3. Second reading, Open 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**

**Roll Call:**

4. Second reading, Open 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**

**Roll Call:**

5. Second reading, Open 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**

**Roll Call:**

6. Second reading, Open 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**

**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.

Motion to Approve Consent Agenda Items:

**Roll Call:**

Open to the Public for Consent Agenda Items Only:

- \*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)

**Roll Call:**

**Rule 7. Public Comment**

**Rule 8. Adjournment**

Motion to Adjourn

**Roll Call:**

***\*\*Agenda subject to change***

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #133-20  
December 3, 2020**

**Resolution Closing A Portion of Hillside Avenue on Which Is Located  
The Hillside Avenue Bridge Over the Saddle River West Branch**

**WHEREAS**, Hillside Avenue is a municipal street or road within the Borough of Upper Saddle River; and

**WHEREAS**, situated on a portion of Hillside Avenue is a structure known as the Hillside Avenue Bridge which traverses the Saddle River West Branch; and

**WHEREAS**, the Borough is in receipt of a report from Borough Engineer Kevin Boswell dated November 23, 2020 (“the Boswell Report”) which details that there has been installed on the structure a steel plate over the span due to excessive corrosion of the corrugated steel plate arch, and the structure was posted for a weight limit of three (3) tons; and

**WHEREAS**, the Boswell Report indicates that severe corrosion of the corrugated steel plate arch along the waterline interface continues to expand, and found evidence of wide transverse cracking at the approaches to the span which may be evidence of imminent failure of the structure; and

**WHEREAS**, the Boswell Report recommends that the structure should be deemed unsafe, and as a matter of public safety be immediately closed to the public.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Upper Saddle River that Borough Officials, including the Police Department and the Department of Public Works, be and are hereby directed to take such measures as are deemed in the public interest to immediately close the structure to traffic.

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #134-20  
December 3, 2020**

**Redeem Third Tax Lien Blk. 1302 Lot 13**

**WHEREAS, CELINA CHECO, TAX COLLECTOR**, has advised that payment has been received in the amount of \$23,550.78 to redeem TTL #19-00006 and subsequent taxes on Block 1302 Lot 13, located at 174 Route 17 in Upper Saddle River, within the Borough; and

**WHEREAS, Robert Rothman** is the holder of said Certificate **TTL#19-00006** and was paid incorrectly back in April 2, 2020 therefore he is claiming his 6% year end penalty and interest calculated to December 3rd, 2020 and is entitle to payment of \$26,123.60; 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 Governing Authority of the Borough of Upper Saddle** River, County of Bergen, State of New Jersey to issue a check in the amount of \$43,223.60, payable to the above-named lienholder, representing the redemption amount of said Certificate and a refund of the premium.

**TTL 19-00006  
174 Route 17  
\$17,100.00 Premium  
TOTAL: \$43,223.60**

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #135-20  
December 3, 2020**

**Property Tax Overpayment Refunds**

**WHEREAS**, the tax collector has advised Meneve, Sophia & Steven owner of Block 1304 Lot 6.03 located at 12 Oratam Rd., has created a tax credit due to a county board appeal in the amount of \$2,434.00 on the 4<sup>th</sup> quarter 2020; and

**WHEREAS**, taxes were paid on the 4th quarter of 2020 on this property; and

**WHEREAS**, the application of these credits resulted in Tax Overpayments in the above amounts for the listed year amounting to \$2,434.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey that approval be granted to issue a check in the amount of \$2,434.00 payable to Meneve, Sophia & Steven.

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #136-20  
December 3, 2020**

**Property Tax Overpayment Refunds**

**WHEREAS**, the tax collector has advised Pleasant Avenue Properties LLC owner of Block 1302 Lot 8.02 and Block 1302 Lot 8.03 located at 88 Pleasant Ave, has created a tax credit due to an overpayment in the amount of \$16.32 and 14.93 on the 4<sup>th</sup> quarter 2020; and

**WHEREAS**, taxes were paid on the 4th quarter of 2020 on this property; and

**WHEREAS**, the application of these credits resulted in Tax Overpayments in the above amounts for the listed year amounting to \$31.25

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey that approval be granted to issue a check in the amount of \$31.25 payable to Pleasant Avenue Properties LLC.

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #137-20  
December 3, 2020**

**Property Tax Overpayment Refunds**

**WHEREAS**, the tax collector has advised Wang, Paul & Chen, Jinping owner of Block 1010 Lot 7 located at 41 Ware Rd., has created a tax credit due to a county board appeal in the amount of \$2,434.00 on the 4<sup>th</sup> quarter 2020; and

**WHEREAS**, taxes were paid on the 4th quarter of 2020 on this property; and

**WHEREAS**, the application of these credits resulted in Tax Overpayments in the above amount for the listed year amounting to \$2,434.00.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey that approval be granted to issue a check in the amount of \$2,434.00 payable to Wang, Paul & Chen Jinping

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #138-20  
December 3, 2020**

**Cancellation of Interest**

**WHEREAS**, ON 2019 and 2020 the taxes were billed for various block and lots causing interest charged on payments due to incorrect posting and adjustments incorrectly made the handling of these payments and adjustments has caused these properties interest being charged incorrectly; and

**WHEREAS**, taxes were paid and posted on different quarters with wrong dates applied causing interest and delinquencies on properties; and

**WHEREAS**, errors in proper crediting of the various block and lots; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Upper Saddle River that the Municipal Tax Collector Celina Checo be and is hereby authorized to cancel interest.

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION 139-20  
December 3, 2020**

**Transfer of Funds**

**WHEREAS**, N.J.S.A. 49:4-58 permits the transfer of appropriations during the last two months of the fiscal year from accounts showing unexpended balances to accounts in which commitments may exceed the original budget appropriations;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Upper Saddle River in the County of Bergen, State of New Jersey that the CFO is hereby authorized to affect the following transfers:

**To:**

Finance	OE	0-01-20-705-303	\$3,000
Tax Collector	S&W	0-01-20-708-010	\$9,000
Planning Bd.	S&W	0-01-21-720-010	\$1,500
Zoning Bd of Adj	S&W	0-01-21-721-010	\$1,000
Buildings & Grounds	S&W	0-01-26-772-010	\$4,000
	<b>Total</b>		<b><u>\$18,500</u></b>

**From:**

Tax Assessment	S&W	0-01-20-710-010	\$6,000
Legal Services	OE	0-01-20-712-030	\$5,000
DPW	OE	0-01-26-765-030	\$7,500
	<b>Total</b>		<b><u>\$18,500</u></b>

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION 140-20  
December 3, 2020**

**Authorizing Cancellation of Capital Improvement Authorization Balances**

**WHEREAS**, there exists balances remaining in certain Improvement Authorizations in the Capital Fund that have remain unexpended for several years and should be canceled,

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Upper Saddle River that the following Improvement Authorization balances in the Capital Fund be canceled:

**CAPITAL FUND**

**Ord #**

#12-2018           \$ 4,000.00  
#04-2019           \$ 9,225.00

**TOTAL           \$ 13,225.00**

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION 141-20  
December 3, 2020**

**Authorizing the Cancellation of the Balance for Upper Saddle River Housing Corp. following discussions with the Borough Administrator & Borough Attorney**

**WHEREAS**, there exists a balance of \$27,772.01 remaining in the Upper Saddle River Housing Corp. bank account that has remained unexpended and dormant for a number of years and should be canceled.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Upper Saddle River that the Chief Financial Officer is directed to cancel the balance of \$27,772.01 remaining in the Upper Saddle River Housing Corp Fund and remit the balance back to the Current Fund Surplus.

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #142-20  
December 3, 2020**

**Cancellation of Miscellaneous Reserve Balances – Other Trust Fund  
(Escrow)**

**WHEREAS**, there exists certain prior years miscellaneous reserve balances in the Other Trust Fund; and

**WHEREAS**, these balances have been reviewed by the Finance Department and it is the recommendation of the Chief Financial Officer, in consultation with the Borough Auditor, to formally cancel said balances;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, New Jersey, that the miscellaneous reserve balances in the Other Trust Fund be cancelled as follows:

<b>Escrow Deposits</b>	<b>\$432,297</b>
<b>Cancelled to Current Fund Surplus</b>	<b>\$432,297</b>

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #143-20  
December 3, 2020**

**RENEWAL OF ALCOHOLIC BEVERAGE POCKET LICENSE  
EAST CRESCENT DEVELOPMENT GROUP**

**WHEREAS**, application for renewal of an alcoholic beverage pocket license has been filed with the Division of Alcoholic Beverage Control Commission by East Crescent Development Group LLC, 1000 Wyckoff Avenue, Mahwah, New Jersey 07430 and proper fees have been filed with State and local authorities; and

**WHEREAS**, pursuant to the New Jersey Division of Alcoholic Beverage Control Commission has granted Special Ruling N.J.S.A.33:1-12.39 for License Terms 2020-2021 and 2021-2022;

**NOW, THEREFORE, BE IT RESOLVED**, that the following alcoholic beverage pocket license be renewed effective July 1, 2020-June 30, 2021, based upon the representations set forth in the petitioner's notarized letter and is subject to review and/or modification should the factual circumstances warrant:

License #0263-33-004-009

A Plenary Retail Consumption License is hereby issued to East Crescent Development Group LLC, 1000 Wyckoff Avenue, Mahwah, New Jersey.

<b>Councilperson</b>	<b>Moved</b>	<b>Second</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #144-20  
December 3, 2020**

**RESOLUTION AUTHORIZING THE BOROUGH OF UPPER SADDLE RIVER  
THROUGH THE UPPER SADDLE RIVER POLICE DEPARTMENT TO PARTICIPATE  
IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE,  
1033 PROGRAM TO ENABLE THE UPPER SADDLE RIVER POLICE DEPARTMENT  
TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT**

**WHEREAS**, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

**WHEREAS**, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

**WHEREAS**, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

**WHEREAS**, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

**WHEREAS**, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Upper Saddle River that the Upper Saddle River Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate, effective January 1, 2021 through December 31, 2021; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that Upper Saddle River Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by

the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Upper Saddle River Police Department, without restriction; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that Upper Saddle River Police Department is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes: (1) utility truck (2) tractor; and

**BE IT FURTHER RESOLVED** that the Upper Saddle River Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

**BE IT FURTHER RESOLVED** that the Upper Saddle River Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization effective January 1, 2021 through December 31, 2021.

Councilperson	Moved	Second	Ayes	Nays	Absent	Abstain
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

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

**BOROUGH OF UPPER SADDLE RIVER  
RESOLUTION #145-20  
December 3, 2020**

**RESOLUTION OF THE COUNCIL OF THE BOROUGH OF UPPER SADDLE RIVER  
APPROVING THE BOROUGH’S SPENDING PLAN FOR ITS AFFORDABLE HOUSING  
TRUST FUND IN ACCORDANCE WITH THE BOROUGH’S THIRD ROUND  
AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the Borough of Upper Saddle River established an affordable housing trust fund in 2007 and has adopted a development fee ordinance to generate revenues for this fund as required by the Council on Affordable Housing’s (“COAH”) Second Round Rules N.J..C. 5:93; and

**WHEREAS**, the Borough’s affordable housing trust fund is required to support the Borough’s various affordable housing programs, including its Third-Round rehabilitation obligation, as set forth in the Borough’s Housing Element and Fair Share Plan; and

**WHEREAS**, a municipality with an affordable housing trust fund should receive approval of a Spending Plan by COAH or the Court prior to making any expenditures from its affordable housing trust fund; and

**WHEREAS**, the Borough of Upper Saddle River has prepared a Spending Plan consistent with P.L. 2008, c. 46, COAH regulations and the Settlement Agreement entered into between the Borough and Fair Share Housing on January 23, 2020.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, State of New Jersey as follows:

1. It approves the Spending Plan that is attached hereto as Exhibit A, and requests that the Court review and approve the Borough’s Spending Plan so that it can expend funds in its affordable housing trust fund.
2. The Mayor and all other officials of the Borough of Upper Saddle River are hereby directed and authorized to take any and all necessary and appropriate actions to carry out the subject and intent of this Resolution.
3. This Resolution Shall take effect immediately upon passage and publication in accordance with law, if required.

Councilperson	Moved	Second	Ayes	Nays	Absent	Abstain
DeFuccio						
DiMartino						
Ditkoff						
Durante						
Florio						
Rotella						

I hereby certify that the above resolution was adopted by the Mayor and Council on December 3, 2020.

\_\_\_\_\_  
Joy C. Convertini, R.M.C., Borough Clerk