

**AGENDA OF THE REGULAR MEETING
OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF UPPER SADDLE RIVER
May 6, 2021 8:00 p.m.**

**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.

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 15, 2020 by email which the time, place and purpose of the meeting was set forth.

Mayor Minichetti to swear in new Council Member filling vacancy of DeAnne DeFuccio.

- ❖ **Recognition of Sarah Renee Bakal – Eagle Scout**
- ❖ **Emergency Services Week – May 16-22, 2021 Proclamation**

Rule 1. Roll Call:

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

Rule 2. Approval of Minutes

- April 1, 2021: Executive, Closed and Regular Meetings **Roll Call:**

Rule 3. Borough Reports

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 #04-21**

AN ORDINANCE TO AMEND CHAPTER 150 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, "ZONING" TO PROVIDE THAT ELECTRIC VEHICLE CHARGING STATIONS ARE A PERMITTED ACCESSORY USE AND PERMITTED ACCESSORY STRUCTURE IN ALL ZONING DISTRICTS IN THE BOROUGH.

Roll Call:

2. Second Reading, Open Public Hearing – **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

3. Second Reading, Open Public Hearing – **Ordinance #06-21**

AN ORDINANCE TO AMEND CHAPTER 211 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, "SEWAGE DISPOSAL, INDIVIDUAL"

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 Open to the Public for Consent Agenda Items Only:

- *1. **Resolution #79-21: Lease Renewal – Bergen Highlands Church**
- *2. **Resolution #80-21: Tax Appeal Settlement Blk. 508 Lot 18**
- *3. **Resolution #81-21: Tax Appeal Settlement Blk. 1012 Lot 22**
- *4. **Resolution #82-21: Tax Appeal Settlement Blk. 103 Lot 10.04**
- *5. **Resolution #83-21: Tax Appeal Settlement Blk. 1112 Lot 12**
- *6. **Resolution #84-21: Tax Appeal Settlement Blk. 915 Lot 21**
- *7. **Resolution #85-21: 2021 Municipal Budget to be Read by Title Only**
- *8. **Resolution #86-21: CFO Certification – Self Examination of Budget**
- *9. **Resolution #87-21: EEOC – Finance**
- *10. **Resolution #88-21: Three-year Average RUT**

- *11. Resolution #89-21: Temporary Budget
- *12. Resolution #90-21: Property Tax Overpayment Refund Blk. 704 Lot 14
- *13. Resolution #91-21: Property Tax Overpayment Refund Blk. 1104 Lot 2
- *14. Resolution #92-21: Property Tax Overpayment Refund Blk. 810 Lot 7.10
- *15. Resolution #93-21: Property Tax Overpayment Refund Blk. 805 Lot 6
- *16. Resolution #94-21: Property Tax Overpayment Refund Blk. 1203 Lot 14.09
- *17. Resolution #95-21: Adopt Stormwater Pollution Prevention Plan
- *18. Resolution #96-21: Approval to Accept Donation from Sheleg Estate
- *19. Resolution #97-21: Approval to Accept Donation from Columbia Bank Foundation
- *20. Resolution #98-21: Appoint P/T Dispatcher Stephen Johnson
- *21. Resolution #99-21: Release of Escrow Funds

Motion to Approve Consent Agenda Items:

Roll Call:

***Introduction of 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)

Roll Call:

- *22. Resolution #100-21 Introduction of 2021 Municipal Budget

Roll Call:

Rule 7. Public Comment

Rule 8. Adjournment

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

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION # 79-21
May 6, 2021**

Renewal of Lease Agreement with Bergen Highlands United Methodist Church

WHEREAS, the Borough of Upper Saddle River and Bergen Highlands United Methodist Church entered into a Lease Agreement whereby the Borough agreed to lease premises at 305 West Saddle River Road, together with additional parking at 314 West Saddle River Road; and

WHEREAS, the Lease Agreement provides for renewal by the parties of the terms and conditions of the Lease.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby approve the extension of the aforesaid Lease through June 30, 2022 under the same terms and conditions as applicable for the period from June 30, 2020 to June 30, 2021; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute any documents to effectuate the Lease extension.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #80-21
May 6, 2021**

Resolution Authorizing Settlement Of Tax Appeal Block 508, Lot 18

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Gadi and Zunilda Piran v. Borough of Upper Saddle River", Docket Nos. 009299-2020 and 001725-2021, which matters involve appeals of the assessment on certain premises known as Block 508, Lot 18 and being more commonly known as 67 Old Chimney Road, for the 2020 and 2021 tax years; and

WHEREAS, the parcel is assessed for the 2020 and 2021 tax years at \$1,549,000.00; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2020 and 2021 tax years.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby authorize settlement of the above-captioned appeals based upon the following terms and conditions:

1. The Stipulation of Settlement shall provide that the appeal filed for the 2020 tax year shall be withdrawn.
2. The Stipulation of Settlement shall provide that the assessment for the 2021 tax year on said parcel shall be established at \$1,450,000.00.
3. Plaintiffs agree to waive interest due on the refund in connection with this settlement. In addition, any refund due the property owners shall be payable in the form of a cash refund or credit against future taxes due for the first quarter following the entry of judgment, at the option of the Borough.

BE IT FURTHER RESOLVED that the Borough attorney, Robert T. Regan, Esq., be and is hereby authorized and directed to execute any and all documents necessary to effectuate the terms of the within settlement.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #81-21**

Resolution Authorizing Settlement Of Tax Appeal Block 1012, Lot 22

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Joshua J. and Erica L. Fox v. Borough of Upper Saddle River", Docket Nos. 006506-2020 and 002016-2021, which matters involve appeals of the assessment on certain premises known as Block 1012, Lot 22 and being more commonly known as 75 Pleasant Avenue, for the 2020 and 2021 tax years; and

WHEREAS, the parcel is assessed for the 2020 and 2021 tax years at \$1,067,000.00; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2020 and 2021 tax years.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby authorize settlement of the above-captioned appeals based upon the following terms and conditions:

1. The Stipulation of Settlement shall provide that the appeal filed for the 2020 tax year shall be withdrawn.
2. The Stipulation of Settlement shall provide that the assessment for the 2021 tax year on said parcel shall be established at \$989,600.00.
3. Plaintiffs agree to waive interest due on the refund in connection with this settlement. In addition, any refund due the property owners shall be payable in the form of a cash refund or credit against future taxes due for the first quarter following the entry of judgment, at the option of the Borough.

BE IT FURTHER RESOLVED that the Borough attorney, Robert T. Regan, Esq., be and is hereby authorized and directed to execute any and all documents necessary to effectuate the terms of the within settlement.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on April 1, 2021.

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

BOROUGH OF UPPER SADDLE RIVER

RESOLUTION #82-21

April 1, 2021

Resolution Authorizing Settlement of Tax Appeal Block 103 Lot 10.04

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Phillip Okin v. Borough of Upper Saddle River", Docket Nos. 007445-2020 and 002543-2021, which matters involve appeals of the assessment on certain premises known as Block 103, Lot 10.04 and being more commonly known as 17 Fieldstone Court, for the 2020 and 2021 tax years; and

WHEREAS, the parcel is assessed for the 2020 and 2021 tax years at \$1,350,000.00; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2020 and 2021 tax years.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby authorize settlement of the above-captioned appeals based upon the following terms and conditions:

1. The Stipulation of Settlement shall provide that the appeal filed for the 2020 tax year shall be withdrawn.
2. The Stipulation of Settlement shall provide that the assessment for the 2021 tax year on said parcel shall be established at \$1,250,000.00.
3. Plaintiff agrees to waive interest due on the refund in connection with this settlement. In addition, any refund due the property owner shall be payable in the form of a cash refund or credit against future taxes due for the first quarter following the entry of judgment, at the option of the Borough.

BE IT FURTHER RESOLVED that the Borough attorney, Robert T. Regan, Esq., be and is hereby authorized and directed to execute any and all documents necessary to effectuate the terms of the within settlement.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on April 1, 2021.

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

BOROUGH OF UPPER SADDLE RIVER

RESOLUTION #83-21

April 1, 2021

Resolution Authorizing Settlement Of Tax Appeal Block 1112, Lot 21

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Mona C. Lefkowitz v. Borough of Upper Saddle River", Docket Nos. 001124-2020 and 003689-2021, which matters involve appeals of the assessment on certain premises known as Block 1112, Lot 21 and being more commonly known as 38 Sunflower Drive, for the 2020 and 2021 tax years; and

WHEREAS, the parcel is assessed for the 2020 and 2021 tax years at \$1,100,000.00; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2020 and 2021 tax years.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby authorize settlement of the above-captioned appeals based upon the following terms and conditions:

1. The Stipulation of Settlement shall provide that the appeal filed for the 2020 tax year shall be withdrawn.
2. The Stipulation of Settlement shall provide that the assessment for the 2021 tax year on said parcel shall be established at \$1,040,000.00.
3. Plaintiff agrees to waive interest due on the refund in connection with this settlement. In addition, any refund due the property owner shall be payable in the form of a cash refund or credit against future taxes due for the first quarter following the entry of judgment, at the option of the Borough.

BE IT FURTHER RESOLVED that the Borough attorney, Robert T. Regan, Esq., be and is hereby authorized and directed to execute any and all documents necessary to effectuate the terms of the within settlement.

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 April 1, 2021.

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

BOROUGH OF UPPER SADDLE RIVER

RESOLUTION #84-21

May 6, 2021

Resolution Authorizing Settlement of Tax Appeal Block 915, Lot 21

WHEREAS, there is presently pending in the Tax Court of New Jersey a certain matter entitled, "Ashish and Geeta Malik v. Borough of Upper Saddle River", Docket Nos. 004491-2020 and 002512-2021, which matters involve appeals of the assessment on certain premises known as Block 915, Lot 21 and being more commonly known as 50 Rolling Ridge Road, for the 2020 and 2021 tax years; and

WHEREAS, the parcel is assessed for the 2020 and 2021 tax years at \$1,550,000.00; and

WHEREAS, said appeals were filed to contest the assessment on the property for the 2020 and 2021 tax years.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby authorize settlement of the above-captioned appeals based upon the following terms and conditions:

1. The Stipulation of Settlement shall provide that the assessment for the 2020 tax year on said parcel shall be established at \$1,450,000.00.

2. The Stipulation of Settlement shall provide that the assessment for the 2021 tax year on said parcel shall be established at \$1,450,000.00.

3. Plaintiffs agree to waive interest due on the refund in connection with this settlement. In addition, any refund due the property owners shall be payable in the form of a cash refund or credit against future taxes due for the first quarter following the entry of judgment, at the option of the Borough.

BE IT FURTHER RESOLVED that the Borough attorney, Robert T. Regan, Esq., be and is hereby authorized and directed to execute any and all documents necessary to effectuate the terms of the within settlement.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION # 85-21
May 6, 2021**

**RESOLUTION AUTHORIZING THE CY 2021 BUDGET TO BE
READ BY TITLE ONLY**

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of the hearing a complete copy of the approved municipal budget as advertised has been posted in the Municipal building and copies have been made available by the Clerk to persons requesting them.

NOW, THEREFORE BE IT RESOLVED that the CY 2021 Municipal Budget shall be read by title only.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #86-21
May 6, 2021

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 2021 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).

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION # 87-21
May 6, 2021**

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S

“Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964”

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c. 183 requires the governing body of each municipality and county to certify that that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit for of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Upper Saddle River hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
 RESOLUTION # 88-21
 May 6, 2021**

**RESOLUTION AUTHORIZING THE USE OF A THREE-YEAR AVERAGE AS
 AN ALTERNATE METHOD FOR CALCULATING THE RESERVE FOR
 UNCOLLECTED TAXES**

WHEREAS, pursuant to N.J.S.A. 40A:4-41 (d) which permits the use of a three-year average of a municipality’s tax collection rate to be used to compute the Reserve for Uncollected Taxes in the Municipal budget; and

WHEREAS, it is desirous of the Mayor and Council of the Borough of Upper Saddle River to use a tax collection rate of 98.21 to compute the Reserve for Uncollected Taxes in the 2021 Municipal budget, as this is the average of the three most recent years.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, that the CY 2021 Reserve for Uncollected Taxes be computed based upon a three-year average tax collection rate.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION # 89-21
May 6, 2021

2021 TEMPORARY BUDGET

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2021 Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River, that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

2021 TEMPORARY BUDGET APPROPRIATIONS

<u>General Government</u>		Salaries & Wages	Other Expenses
1-01-20-701	Administration	\$ 130,000	\$
1-01-20-712	Legal Services		\$ 52,000
1-01-31-720	Natural Gas		\$ 11,000
1-01-31-720	Gasoline		\$ 24,000
<u>Public Safety</u>			
1-01-25-752	Fire Prevention	\$	\$ 10,000
1-01-25-757	Prosecutor		\$ 5,000
<u>Department of Public Works</u>			
1-01-26-765	Streets & Roads	\$	\$ 100,000
<u>Recreation & Education</u>			
1-01-28-795	Recreation	\$ 33,000	\$ 26,000
1-01-28-796	Celebration Public Events		\$ 1,200

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #90-21
May 6, 2021**

Property Tax Overpayment Refund Blk. 704 Lot 14

WHEREAS, the tax collector has advised Humblias, Peter owner of Block 704 Lot 14 located at 11 Lilline Lane, that there is a reduction of assessment by the Bergen County Board of Taxation of New Jersey for the year 2020 in the amount of **\$1,825.46**; and

WHEREAS, taxes were paid through 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 \$1,825.46

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 \$1,825.46 payable to: Peter Humblias

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

Joy C. Convertini, Municipal Clerk

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #91-21
May 6, 2021**

Property Tax Overpayment Refunds Blk. 1104 Lot 2

WHEREAS, the tax collector has advised Angelikas, Georgia owner of Block 1104 Lot 2 located at 46 Riverview Terrace, that the State has authorized a payout of the Homestead Rebate due to 100% Tax Exemption for the year 2020 in the amount of **\$1,050.00**; and

WHEREAS, taxes were exempt through the 1st and 2nd Quarter of 2021 on this property; and

WHEREAS, the application of these credits resulted in Tax Overpayments in the above amount for the listed year amounting to \$1,050.00

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 \$1,050.00 payable to: Angelikas, Georgia

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

Joy C. Convertini, Municipal Clerk

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #92-21
May 6, 2021**

Property Tax Overpayment Refunds Blk. 810 Lot 7.10

WHEREAS, the tax collector has advised Raabe, Ella, owner of Block 810 Lot 7.10 located at 34 Knights Ct., that a reduction of assessment by the Tax Court of New Jersey for the year 2020 in the amount of **\$2,434.00**; and

WHEREAS, taxes were paid through 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: Raabe, Ella

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

Joy C. Convertini, Municipal Clerk

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #93-21
May 6, 2021**

Property Tax Overpayment Refunds Blk. 805 Lot 6

WHEREAS, the tax collector has advised Abdulsalam, Yousef, owner of Block 805 Lot 6 located at 14 Sunrise Lane, is due a refund due to 100% Tax Exemption for the year 2020 in the amount of **\$3,492.64**; and

WHEREAS, taxes were paid by the bank through 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 \$3,492.64

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 \$3,492.64 payable to: Abdulsalam, Yousef

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

Joy C. Convertini, Municipal Clerk

BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #94-21
May 6, 2021

Property Tax Overpayment Refund Blk. 1203 Lot 14.09

WHEREAS, the tax collector has advised Mindich, Eric B. & Suzanne M. owner of Block 1203 Lot 14.09 located at 15 Mettowee Farms Ct., that a reduction of assessment by the Tax Court of New Jersey for the year 2020 in the amount of **\$2,743.12**; and

WHEREAS, taxes were paid through 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 \$2,743.12

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 \$2,743.12 payable to: Jennifer R. Jacobus, Trustee for Mindich, Eric B. & Suzanne.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

Joy C. Convertini, Municipal Clerk

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION # 95-21
May 6, 2021**

Adoption of a Stormwater Pollution Prevention Plan

WHEREAS, the Borough of Upper Saddle River is required to prepare and adopt a Municipal Stormwater Pollution Prevention Plan in accordance with N.J.A.C 7:8-4 and the Borough is identified as a Tier A community in the Municipal Stormwater General Permit; and; and

WHEREAS, Boswell Engineering has prepared a Stormwater Pollution Prevention Plan, dated January 21, 2021, for the Borough of Upper Saddle River and the plan will be submitted to the Bergen County Planning Board for review.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council hereby adopt the Stormwater Pollution Prevention Plan, prepared by Boswell Engineering, dated January 21, 2021 as the plan for the Borough.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #96-21
May 6, 2021**

**Authorizing the Mayor and Council to Accept a Gift from the Estate of
Helen Sheleg to Purchase Police-Related Equipment**

WHEREAS, *N.J.S.A. 40A:5-29* permits a local unit to accept gifts or bequests made to it; and

WHEREAS, the Estate of Helen Sheleg has forwarded a check in the amount of \$1,000.00 to the Borough for the purchase of police-related equipment.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby accept the aforesaid gift; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized to mail a letter of thanks to the donor.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
 RESOLUTION #97-21
 May 6, 2021**

**Authorizing Upper Saddle River PBA Local 218 to Accept a Gift from the
 Columbia Bank Foundation for the Purchase of a Vermac Trailer to be
 Transferred to the Borough of Upper Saddle River**

WHEREAS, *N.J.S.A. 40A:5-29* permits a local unit to accept gifts or bequests made to it; and

WHEREAS, the Columbia Bank Foundation has forwarded a check in the amount of \$18,500.00 to the Upper Saddle River PBA Local 218 in order to purchase a Vermac message board and radar trailer; and

WHEREAS, the Upper Saddle River PBA Local 218 is requesting that ownership of the aforementioned trailer be transferred to the Borough of Upper Saddle River.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby accept the aforesaid gift; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized to mail a letter of thanks to the donor.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
 RESOLUTION #98-21
 May 6, 2021**

Appointment Part Time Dispatcher Steven Johnson

WHEREAS, the Borough of Upper Saddle River finds it is necessary to employ part-time dispatchers; and

WHEREAS, Steven Johnson was interviewed by the Police Chief Patrick Rotella and his credentials were reviewed by Borough Administrator Theodore Preusch; and

WHEREAS, Police Chief Rotella and Borough Administrator Theodore Preusch approve the hiring of Steven Johnson as a part-time Police Dispatcher; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Upper Saddle River hereby authorizes the employment of Steven Johnson as a part-time Police dispatcher, effective May 6, 2021 at an hourly rate of \$19.38, with no additional benefits included;

BE IT FURTHER RESOLVED, that copies of this resolution shall be provided to the Chief of Police, Chief Financial Officer and Steven Johnson.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May, 6, 2021.

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

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #99-21
May 6, 2021**

Chief Financial Officer’s Approval to Release Escrow Funds

WHEREAS, a request has been received for the return of any professional review escrow funds and/or bonds for the projects listed below; and

WHEREAS, the Chief Financial Officer has determined the appropriate balances as shown below; and

WHEREAS, the Borough is in receipt of a certification as to the completeness of the project from the Building / Land Use Department.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Upper Saddle River that the Chief Financial Officer is hereby directed to return the balance of professional review escrow funds and/or bonds as indicated below:

- | | |
|--|------------|
| 1. Brett & Lisa Hawken - 35 Anona Drive - Block 206 - Lot 29 | \$ 343.25 |
| 2. Michael & Lauren Gallo - 21 Skyline Drive - Block 1108 - Lot 8 | \$4,000.00 |
| 3. Edina Kacani - 15 Fox Hill Road - Block 304 - Lot 9 | \$2,500.00 |
| 4. Toll Brothers - 85 Woodmere Road - Block 401 - Lot 2.34 | \$5,000.00 |
| 5. Michael & Rosalba Fernandez - 23 Hess Court - Block 808 - Lot 1 | \$5,000.00 |

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

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

ORDINANCE #7-21

**BOROUGH OF UPPER SADDLE RIVER
BERGEN COUNTY, NEW JERSEY**

**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)**

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 1.0% 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 2021 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 2.5% increase in the budget of said year, amounting to \$256,580 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 2021 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 \$359,212, and that the CY 2021 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 _____, 2021

Seconded by _____

ATTEST:

Borough Clerk

Mayor

**BOROUGH OF UPPER SADDLE RIVER
RESOLUTION #100-21
May 6, 2021**

MUNICIPAL BUDGET OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF BERGEN, NEW JERSEY FOR THE FISCAL YEAR 2021.

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 2021.

BE IT FURTHER RESOLVED, that the said budget be published in The Record in the issue of May 13, 2021 and that a hearing on the Budget will be held at the Municipal Building on June 3, 2021 at 8:00 o'clock (P.M.) or as soon thereafter as the matter may be reached.

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

I hereby certify that the above resolution was adopted by the Mayor and Council on May 6, 2021.

Joy C. Convertini, Municipal Clerk