

Minutes of the Regular Meeting of the Mayor and Council held on Thursday, April 9, 2015 at 8:00 p.m. at the Upper Saddle River Borough Hall.

Moment of Silence and Pledge of Allegiance was led by Mayor Minichetti.

Pursuant to the Open Sunshine Act P.L. 1975, Chapter 231, proper notice of this meeting has been provided by submitting appropriate notice to The Ridgewood News and The Record by fax, mail on March 30, 2015 in which the time, place and purpose of the meeting was set forth.

RULE 1. Roll Call:

Mayor	Joanne L. Minichetti	Present
Councilman	Roger DeBerardine	Present
Councilman	Steven DiMartino	Present
Councilman	Jonathan Ditkoff	Present
Councilman	Vincent M. Durante	Present
Councilwoman	Joanne Florio	Present
Councilman	Thomas Hafner	Present

RULE 2. Minutes of Executive, Closed and Regular Meetings of March 5, and Special Meetings of March 23, 2015 were delivered to all members of the governing body and posted on the bulletin board and were unanimously approved following a motion by Councilman Durante, seconded by Councilman Ditkoff.

RULE 3. Borough Clerk's Report:

The Borough Clerk's office received the following fees for the month of March, 2015 and deposited them with the Collector/Treasurer:

Copies	\$	7.65
Peddlers Permit		10.00
Landscape Permits		115.00
Total	\$	132.65

The Borough Clerk's office issued 24 dog licenses for the month of March. \$34.80 was forwarded to the NJ Department of Health for the Pilot Clinic and Animal Control Fund.

Proofs of publication were received for the following:

- 1) Adoption of Ord. #1-15 - Zoning
- 2) Adoption of Ord. #2-15 - Soil Removal
- 3) Notice to Bidders-2015 Turf Program

Police: Report for the month of March was received and filed.

DPW: Report for the month of March was received and filed.

Fire Dept: Report for the month of March was received and filed.

Library: Report for the month of February and Minutes of Feb. 11 were received and filed.

Youth Guidance Council: Minutes of March 6, 2015 were received and filed.

Other Boards & Commissions:

Municipal Court: Report for the months of February and March were received and filed.

RULE 4. Communications, Petitions & Bills:

DEP public hearing notice re: Annual Fee Report.

NWBCUA Resolution and Minutes of February 17, 2015.

NJ General Assembly bill re appeal of assessment refunds.

Resolutions from Bergenfield, Old Tappan, Bd. Of Chosen Freeholders.

Councilman DeBerardine presented bills in the amount of \$4,786,489.86:

A motion by Councilman DeBerardine, seconded by Councilman DiMartino to pay bills in the amount of \$4,786,489.86 was unanimously approved by all Council members present. Mayor Minichetti declared bills approved for payment and ordered checks drawn.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditzkoff, Durante, Florio, Hafner. Nays: None.

RULE 5. Unfinished Business:

Councilman Ditzkoff read for the second time: (Ord. #3-15)

"AN ORDINANCE TO AMEND CHAPTER 102 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, "PROPERTY MAINTENANCE".

Mayor Minichetti opened the public hearing; there being no comments, hearing was closed.

Resolution by Councilman Ditzkoff, seconded by Councilman Durante:

"AN ORDINANCE TO AMEND CHAPTER 102 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, "PROPERTY MAINTENANCE" was introduced at a Regular meeting of the Mayor and Council on March 5, 2015 and passed its first reading. After public hearing held on April 9, 2015 it passed its second and final reading and was duly adopted by the Council and approved by the Mayor and shall take effect when published according to law.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditzkoff, Durante, Florio, Hafner. Nays: None.

Councilman Durante read for the second time: (Ord. #4-15)

"AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14) FOR THE CALENDAR YEAR 2015".

Mayor Minichetti opened the public hearing; there being no comments, hearing was closed.

Resolution by Councilman Durante, seconded by Councilman DeBerardine:

"AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14) FOR THE CALENDAR YEAR 2015" was introduced at a Regular meeting of the Mayor and Council on March 5, 2015 and passed its first reading. After public hearing held on April 9, 2015 it passed its second and final reading and was duly adopted by the Council and approved by the Mayor and shall take effect when published according to law.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

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.

A motion to approve Consent Agenda by Councilman Hafner, seconded by Councilwoman Florio was unanimously approved by all Council members present.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

*Approve Raffle License #359 to USR Fire Department.

*Resolution #40-15

WHEREAS, the Bergen County Executive and the Board of Chosen Freeholders, along with the Bergen County Department of Health Services, supports the designation of Stigma-Free Zones in every municipality; and

WHEREAS, at the June 2013 meeting of the Bergen County Mental Health Board, members of the Board learned from Care Plus NJ staff that the agency was working collaboratively to establish a Stigma Free Zone in Paramus; and

WHEREAS, the members of the Mental Health Board supported the initiative and recognized that the initiative was aligned with the Board's mission to raise awareness of the disease of mental illness; and

WHEREAS, the National Institute of Mental Health reports that 1 in 4 adults experiences mental illness in a given year and 1 in 17 adults live with a serious mental illness such as schizophrenia, major depression, or bipolar disorder; approximately 20% of youth ages 13 to 18 and 13% of youth ages 8 to 15 experience severe mental disorders in a given year; and

WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease; and

WHEREAS, Stigma-Free Zones aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma; and

WHEREAS, prompting awareness that there can be no "health" without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed; and

WHEREAS, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless; and

WHEREAS, establishing Stigma-Free Zones will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Upper Saddle River recognizes the community needs and supports the efforts of the County of Bergen in designating Upper Saddle River as a Stigma-Free Zone.

*Resolution #41-15

WHEREAS, the Borough of Upper Saddle River, New Jersey has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk; and

WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan; and

WHEREAS, a Hazard Mitigation Plan has been developed by the Mitigation Planning Committee; and

WHEREAS, the Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

WHEREAS, the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River:

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the Borough of Upper Saddle River; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.

2. The Borough's departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.

3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Governing Body, and this resolution shall not be interpreted so as to mandate any such appropriations.

4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

*Resolution #43-15

WHEREAS, Federal law known as the "1033 Program" allows local law enforcement agencies to obtain surplus property at little or no cost to municipalities; and

WHEREAS, the Upper Saddle River Police Department is enrolled in a program established by the United States Department of Defense, pursuant to 10 U.S.C. S2576a; and

WHEREAS, Pursuant to New Jersey State Statute, Chapter 23, P.L. 2015, Mayor and Council approval is required for the acquisition of federal property and subsequent transfer to local law enforcement;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Upper Saddle River that it hereby approves the transfer of federal property from the US Department of Defense to the Upper Saddle River Police Department.

*Resolution #44-15

WHEREAS, N.J.S.A. 40A:4-19 provides that, where any contract, commitments or payments are to be made prior to the final adoption of the 2015 budget, temporary appropriations should be made for the purpose and the amounts required in the manner and time therein provided; and

WHEREAS, the total appropriation in the 2014 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund and public assistance in said budget, is the sum of \$10,610,417.55; and

WHEREAS. One quarter of the appropriations in the 2014 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvements fund and public assistance in said budget, is the sum \$2,652,604.39.

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

TEMPORARY APPROPRIATIONS 2015

Inside Cap Appropriations

Department

A&E, S&W	50,000	A&E,OE	10,000
General, OE	5,000	Finance, OE	10,000
Tax Collector,OE	1,500	Assessor, S&W	20,000
Legal, S&W	15,000	Legal, OE	10,000
Engineering, OE	20,000	Pl. Bd., S&W	2,000
Zoning, S&W	1,000	Building Staff	40,000
Bldg. Dept, OE	1,000	Group Ins.	75,000
Other Ins.	20,000	Police,S&W	255,000
Fire, OE	4,000	Police, OE	50,000
Fire Prevention,OE	1,000	Fire Prev.,S&W	7,000
Prosecutor, S&W	2,200	Shade Tree, S&W	600
DPW, S&W	150,000	DPW, OE	50,000
Bd. Of Helahht, OE	10,000	Recreation,S&W	10,000
Recreation,OE	6,000	Public Events	3,000
Utility	60,000	Solid Waste	15,000
Court, S&W	23,000	Court, OE	3,000
Social Security	60,000	Mun. Alliance	2,000
Ambulance, S&W	20,000		

*Resolution #45-15

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 2015 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.

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.

*Ordinance #5-15

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF UPPER SADDLE RIVER, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$745,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATIONS AND TO PROVIDE FOR THE ISSUANCE OF SUCH BONDS" was introduced at a Mayor and Council meeting on April 9, 2015 and passed its first reading and will be considered for final passage at a meeting of the said Mayor and Council to be held on May 7, 2015 at 8:00 PM at the Borough Hall, Upper Saddle River, NJ, at which time and place all persons interested will be given an opportunity to be heard concerning same.

*Ordinance #6-15

"AN ORDINANCE TO AMEND CHAPTER 122 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED STREETS AND SIDEWALKS" was introduced at a Mayor and Council meeting on April 9, 2015 and passed its first reading and will be considered for final passage at a meeting of the said Mayor and Council to be held on May 7, 2015 at 8:00 PM at the Borough Hall, Upper Saddle River, NJ, at which time and place all persons interested will be given an opportunity to be heard concerning same.

*Authorize Borough Clerk to seek bids for 2015 Road Improvement Project.

Resolution #42-15 by Councilman DiMartino, seconded by Councilman Durante:

"MUNICIPAL BUDGET OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF BERGEN, NEW JERSEY, FOR THE FISCAL YEAR 2015".

BE IT RESOLVED, that the following statement of revenues and appropriations shall constitute the Municipal Budget of the Borough of Upper Saddle River for the year 2015;

BE IT FURTHER RESOLVED, that said budget will be published in the April 16, 2015 issue of The Record.

The Governing Body of the Borough of Upper Saddle River does hereby approve the Municipal Budget for the year 2015 in the amount of \$12,358,326.67.

Roll Call: Ayes: Council members DeBerardine, DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

RULE 7. Public Comments:

In response to Ms. Diane Cookson, 9 Parker Place, Mayor Minichetti said an application for the Apple Ridge project was submitted to the Planning Board and that there would be at least one meeting a month dedicated to

the application; she suggested the Planning Board secretary be contacted for dates and times of meetings.

RULE 8. Adjournment:

A motion to adjourn by Councilman DeBerardine, seconded by Councilman DiMartino was unanimously approved by all Council members present. (Meeting adjourned at 8:23 p.m.)

Respectfully submitted,

Rose Vido, RMC
Borough Clerk