

**MINUTES OF THE REGULAR MEETING  
OF THE MAYOR AND COUNCIL OF THE  
BOROUGH OF UPPER SADDLE RIVER  
September 2, 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

**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	Sarah Drennan	Present
Council Member	Vincent M. Durante	Present
Council Member	Arman Fardanesh	Present
Council Member	Joanne Florio	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 Ditkoff.

August 5, 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 August 2021 and deposited them with the Collector/Treasurer:

Landscaper Licenses	\$ 300.00
Garage Sales	\$ 10.00
	<b>\$ 310.00</b>

The Borough Clerk's office issued 2 licenses for the month of August 2021; **\$2.40** was forwarded to the NJ department of Health for the Pilot Clinic and Animal Control Fund.

Proof of publications received:

- ❖ Adoption of Ordinance #09-21: Salary Ordinance
- ❖ Introduction of Ordinance #10: Acquisition of Real Property (Creative Gardens)
- ❖ Introduction of Ordinance #11: Regulating Deployment of 5G Technology
- ❖ Introduction of Ordinance #12: Amend Rental Property (Airbnb Pools & Property)
- ❖ Introduction of Ordinance #13: Bond Ord. Various Public Improv. (\$3,467,000)

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

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

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

<b><u>Communications:</u></b>	NBCUA Special Mtg. Agenda	August 7, 2021
	NBCUA Agenda	September 21, 2021

**Approval of Bills:** A motion by Council Member DiMartino, seconded by Council Member Durante to pay bills in amount of **\$6,605,133.59** 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 #10-21**

**AN ORDINANCE TO AMEND ORDINANCE #2-18 ENTITLED, "AN ORDINANCE TO AUTHORIZE THE ACQUISITION BY CONDEMNATION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 810, LOT 6 AS DEPICTED ON THE TAX ASSESSMENT MAP".**

Motion Offered by Council Member Florio  
Seconded by Council Member Drennan

OPEN TO THE PUBLIC: No one wished to be heard

**Roll Call Vote: AYES, Unanimous**

2. Second Reading, - **Ordinance #11-21**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER WITH THE ADDITION OF A CHAPTER 151 ENTITLED "COMMUNICATION FACILITIES RIGHT-OF-WAY PERMITS" TO PROVIDE FOR THE REGULATION OF SMALL CELL WIRELESS FACILITIES WITHIN THE MUNICIPAL RIGHTS-OF-WAY**

At this time, Mr. Peter Lupo, Esq., Hoplite Communications gave an overview of the impending deployment in the Borough of 5G generation of mobile networks. Mr. Lupo outlined the deployment challenges and explained that this will require use of public rights-of-way for the placement of antennas and equipment on telephone poles, traffic lights and street lamps, approximately 38-42 feet high. Any resident with property that may be impacted will be notified.

Motion Offered by Council Member Durante  
Seconded by Council Member Florio

OPEN TO THE PUBLIC:

Cheryl Romano, West Saddle Road asked that, once 5G is installed, will that necessitate the removal of cell towers. Mr. Lupo stated that both will work simultaneously for several years until the transition from 4G to 5G is completed.

Erik Friis, 4 Sparrowbush Road asked Mr. Lupo if he or his company have made any political contributions to the Mayor or any Council Members. Mr. Lupo stated that he has not made any such contributions.

**Roll Call Vote: AYES, Unanimous**

3. Second Reading, - **Ordinance # 12-21**

**AN ORDINANCE TO AMEND CHAPTER 108 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, "RENTAL PROPERTY".**

Motion Offered by Council Member Durante  
Seconded by Council Member Ditkoff

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

**Roll Call Vote: AYES, Unanimous**

4. Second Reading, - **Ordinance #13-21**

**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, NEW INFORMATION TECHNOLOGY 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 \$3,467,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

Motion Offered by Council Member Durante  
Seconded by Council Member Florio

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

**Roll Call Vote: 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 Ditkoff  
Seconded by Council Member Drennan

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

- \*1. Resolution #138-21 Tax Appeal Settlement Blk. 1113 Lot 2.08
- \*2. Resolution #139-21 Tax Appeal Settlement Blk. 302 Lot 9
- \*3. Resolution #140-21 Tax Appeal Settlement Blk. 303 Lot 8
- \*4. Resolution #141-21 Redeem Third Party Tax Lien Blk. 808 Lot 8
- \*5. Resolution #142-21 Redeem Third Party Tax Lien Blk. 922 Lot 12
- \*6. Resolution #143-21 Redeem Third Party Tax Lien Blk. 1302 Lot 7
- \*7. Resolution #144-21 Redeem Third Party Tax Lien Blk. 808 Lot 17
- \*8. Resolution #145-21 Release of Escrow Funds Blk. 1006 Lot 11 & Blk. 1108 Lot 8

Motion to Approve Consent Agenda Items: **Roll Call Vote: AYES, Unanimous**

\*Introduction of Ordinance# 14-21

**AN ORDINANCE OF THE BOROUGH OF UPPER SADDLE RIVER, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO ADOPT THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION'S MODEL ORDINANCE FOR STORMWATER CONTROL**

Motion offered by Council Member Florio  
Seconded by Council Member Durante **Roll Call Vote: AYES, Unanimous**

Appointment of Sarah Drennan to Historic Preservation Commission as Mayor's Rep

Motion offered by Council Member Ditkoff  
Seconded by Council Member Florio **Roll Call Vote: AYES, Unanimous**

At this time, Council Member Fardanesh gave an overview of the significant impact Tropical Storm Ida had on the Borough. He stated that over eight inches of rain fell in a short period of time, leaving many people trapped in cars on flooded roadways. He commended all emergency services, stating that there were over 25 life-saving water rescues. All roads from east to west throughout the Borough were flooded during the storm and the rapid and professional response by all emergency responders ensured there was no loss of life. Mayor Minichetti commended Council Member Fardanesh as well, for his tireless efforts during the storm in his capacity as Fire Chief.

## **RULE 7. PUBLIC COMMENT**

Eric Friis, 4 Sparrowbush Road, asked about Ordinance 14-21, pertaining to Storm Water Management. Mr. Friis was given a brief synopsis of this ordinance. Additionally, Mr. Friis asked about contractors making contributions to politicians who are in a position to make hiring decisions and if this is a violation of Pay to Play laws.

Jess Silva, 11 Lake Road stated that his property is located on both sides of the west branch of the Saddle River. There was significant damage to the Lake Road Bridge during Hurricane Ida on September 1, 2021. He further stated part of his property has eroded into the water; part of the plan is to divert the water to the west side of West Saddle River Road, which will negatively impact his property. He is seeking transparency around this project and asked for specific details about a timeline to completion.

Mr. Friis continued his statement regarding political contributions.

## **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