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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BERGEN ROCKLAND ERUV ASSOCIATION, Civil No.: 2:17-CV-05512-JMV-
YISROEL FRIEDMAN, S. MOSHE CLW
PINKASOVITS, SARAH BERGER, MOSES
BERGER, CHAIM BREUER, YOSEF
ROSEN, and TZVI SCHONFELD,

Plaintiffs,

v.

THE BOROUGH OF UPPER SADDLE
RIVER,

Defendant.

Civil Action

**DECLARATION OF
THEODORE PREUSCH**

I, Theodore Preusch, declare under penalty of perjury:

1. I am an employee of the Borough of Upper Saddle River (USR).
2. I currently serve as the Borough Administrator and have for approximately 11 years.
3. Before I became the Borough Administrator, I served as a police officer for the USR's Police Department (USR PD) for 35 years.

4. Of those 35 years, I had the honor of serving as the Chief of Police for 25 years.

**HISTORY OF USR'S PROHIBITION OF
POSTING SIGNS AND DEVICES TO UTILITY POLES**

5. I have both personal and institutional knowledge with respect to USR's enforcement of its policy and code provisions prohibiting the placement and installation of unauthorized signs and devices on utility poles within USR ("the Sign Ordinances").

6. Contrary to Plaintiffs' unfounded allegations, USR has consistently and uniformly enforced its Sign Ordinances and has done so without regard to the content of the signs or devices at issue.

7. Such Sign Ordinances have existed within the USR Code since at least 1994.

8. On or about November 9, 1994, the USR Code was amended to provide "no sign shall be attached to a tree, pole, building or structure." See attached as Exhibit "A" is a true and correct copy of Ordinance 17-94, amending USR Code §150-21, prohibiting signs from being attached to poles (emphasis added).

9. Since November 4, 1985, the USR Code has defined a sign as "[a]ny inscription written, printed, painted or otherwise placed on a board, plate, banner or upon any material object or any device whatsoever which, by reason of its form, color, wording, activity or technique or otherwise, attracts attention to itself,

used as a means of identification, advertisement or announcement. As used in this chapter, the term shall apply only to such signs as are visible to persons located outdoors." See attached as **Exhibit "B"** is a true and correct copy of USR Code §150-3 defining the term sign.

10. To date, USR Code §150-21 prohibits the attaching of signs to utility poles.

11. On December 13, 1995, USR continued its regulation of utility poles when it passed Ordinance 19-95, revising USR Code §76-46, which states that "[n]o signs shall be permitted to be posted on such structures as **telephone poles**, street signs, trees or fences." See attached as **Exhibit "C"** is a true and correct copy of Ordinance 19-95, revising USR Code §76-46, prohibiting signs from being attached to utility poles.

12. USR Code §76-46 specifically prohibits garage sale signs from being attached to utility poles. Id.

13. In 2014, USR had a particularly challenging election year, during which there was a proliferation of political signs being attached to utility poles, street signs, and other stationary items.

14. In 2014, the administration, mayor, and council all knew of the recent proliferation of signage around USR, even as early as mid-summer, and perceived it to be a problem. The proliferation of signs was largely propelled by controversies regarding a

referendum to rezone a large tract in USR that some believed could be used to meet USR's fair housing obligations. Political signs were continually posted on public property despite the best efforts of Borough Police to remove them. They were also routinely removed to enforce USR's Sign Ordinances.

15. Following the contentious 2014 election season, a council person inquired of me whether there was anything USR could do to more effectively limit signage on USR's utility poles during election season. Accordingly, I researched the ordinances of other municipalities that might avoid a recurrence of the 2014 election year when so many signs were posted and the police force and local officials were required to act to remove the many signs pursuant to local law. I worked with Borough Attorney Robert T. Regan. Counsel Regan and I eventually looked at various potential ordinances and ultimately agreed that the current Montvale ordinance would be a potential fit.

16. However, the effort to pass such legislation got sidetracked due to other more pressing issues and was not revisited for almost a year.

17. In late summer of 2015, anticipating an active 2015 election season and recalling the difficulties faced in 2014, the USR Borough Council and the Borough Attorney worked to update the Sign Ordinances via Ordinance 16-15. See attached as **Exhibit "D"**

is a true and correct copy of Ordinance 16-15 prohibiting posting of unauthorized signs and devices on utility poles.

18. Believing the current ordinances did not sufficiently address the mayor and council's concerns, the revised sign ordinance was at least an occasional source of discussion and research through late 2014 and 2015.

THERE WAS NO DISCUSSION OF THE
SIGN ORDINANCE IN RELATION TO THE ERUV

19. Although the minutes of the August 18, 2015 closed session of the Borough Council, reflect a discussion of a license agreement between the Vaad haEruv and Orange and Rockland Utilities, Inc. (O & R), the local electric utility company that owns some utility poles in USR, and the minutes of the closed meeting of the Borough Council on September 3, 2015, reflect a statement by Borough Counsel Regan that the proposed sign ordinance would be brought to the regular meeting for a first reading, there was absolutely no connection between these two items.

20. To my knowledge, the topics of lechis and eruvim were never discussed in connection with Ordinance 16-15.

21. The first time I heard anything about a proposed eruv extension into USR was around August 10, 2015, during one of my regular consultations with Mayor Joanne Minichetti. The mayor informed me she had heard about an alleged application made to O & R for the purpose of placing lechis on utility poles within USR.

She asked that I inquire with O & R about it, and I did so. See attached as **Exhibit "E"** is a true and correct copy of an email chain by and between Michelle Damiani, of O & R, and myself with respect to the placing of an eruv on utility poles in USR.

22. Ms. Damiani failed to respond to the substance of my inquiry and instead forwarded my inquiry to the O & R Joint Use Department. Id. I do not recall anyone from the O & R Joint Use Department responding to my email.

23. What little knowledge the Mayor had about a proposed eruv and my follow-up with Michele Damiani were discussed very briefly and matter-of-factly at the executive session of the Mayor and Council and reflected in the August 18, 2015, meeting minutes in reference to the license agreement being reached between Vaad haEruv and O & R.

24. It was not until June 12, 2017 that O & R responded substantively to my August 10, 2015 inquiry, when Ms. Damiani emailed Police Chief Patrick Rotella to inform him that the Vaad haEruv had been granted a license to place lechis on utility poles to create an eruv in USR. Id.; see also attached as **Exhibit "F"** is a true and correct copy of an email from Michelle Damiani to Chief Patrick Rotella, dated June 12, 2017 at 4:30 PM, explaining, for the first time, the O & R "license" and the eruv generally.

25. I do not recall when or if I reported back to the Mayor and Council that Ms. Damiani had failed to respond to my 2015

inquiry; however, I recall that among the Mayor and Council, there was no further substantive discussion concerning the eruv issue at that time, as the Vaad haEruv and O & R never followed through to discuss the eruv further with us.

26. The first reading of Ordinance 16-15 occurred at the September 3, 2015 regular meeting of the Mayor and Council. See attached as **Exhibit "G"** is a true and correct copy of the minutes from the September 3, 2015 regular meeting of the Mayor and Council evidencing the first reading of Ordinance 16-15.

27. Despite diligence by the USR PD to remove signs on public property, the proliferation of signs on utility poles reached such a point during the 2015 election season that O & R complained about the number of political signs affixed to its utility poles. See attached as **Exhibit "H"** is a true and correct copy of an email, dated September 29, 2015, from Neil Winter forwarding a message from O & R about its longstanding policy of prohibiting the posting of signs on utility poles-- stating that "staples, tacks or nails... present a potential hazard to O & R employees working on the poles" among several other reasons signs should not be placed on poles.

28. The request from O & R concerning political signs was received between the first and second reading of this Ordinance.
Id.

29. At the October 1, 2015 regular meeting of the Mayor and Council, Ordinance 16-15 was introduced for public comment;

however, no public comment was made in response to the introduction of the ordinance. See attached as **Exhibit "I"** is a true and correct copy of the minutes from the October 1, 2015 regular meeting of the Mayor and Council reflecting that no public comment was given in response to the introduction of Ordinance 16-15.

30. To my knowledge, no one connected with the eruv introduced public comments or contacted the administration or the Mayor and Council to discuss, suggest amendments to, or stake out a position with regard to this ordinance. Nor do I recall any member of the public raising any issues with respect to the ordinance.

31. To my knowledge, I was present during almost all, if not all, conversations about this ordinance between the Mayor and Council. I recall absolutely no conversations or communications involving the Mayor and Council even remotely suggesting that the purpose of this ordinance was to subvert or prevent the creation of an eruv.

32. Ordinance 16-15 unanimously passed and was then codified as USR Code §122-17G. See attached as **Exhibit "J"** is a true and correct copy of USR Code §122-17G prohibiting the posting of unauthorized signs and devices on utility poles.

USR'S REGULATION OF SIGNS

33. USR has consistently regulated signs from a wide variety of sources within its jurisdiction and has done so without regard to the content of the signs.

34. For example, on July 6, 2007, USR issued a violation to Remdco, LLC for an alleged violation of USR Code §150-21A. See attached as **Exhibit "K"** is a true and correct copy of a case disposition information form regarding Complaint Number SC-2007-9040, which alleged a violation of USR Code §150-21A against Remdco, LLC.

35. On May 18, 2010, via complaint numbers SC-2010-9990, SC-2010-10021, SC-2010-10022, and SC-2010-10026, USR issued violations to Swingset & Toy Warehouse for alleged violations of USR Code §150-20B, USR Code §150-20E, USR Code §150-20G, USR Code §150-20C, respectively. See attached respectively as **Exhibits "L," "M," "N," and "O"** are true and correct copies of case disposition information forms regarding complaint numbers SC-2010-9990, SC-2010-10021, SC-2010-10022, and SC-2010-10026, which alleged violations of USR Code §150-20B, USR Code §150-20E, USR Code §150-20G, USR Code §150-20C, respectively.

36. On March 16, 2011, via complaint number SC-2011-10339, USR issued a violation to Edyta Fromkin for an alleged violation of USR Code §150-37. See attached as **Exhibit "P"** is a true and correct copy of a case disposition information form regarding

complaint number SC-2011-10339, which alleged a violation of USR Code §150-37.

37. On November 19, 2013, via complaint number SC-2013-11496, USR issued a violation to Lizabeth Garcia for an alleged violation of USR Code §150-20G. See attached as **Exhibit "Q"** is a true and correct copy of a case disposition information form regarding complaint number SC-2013-11496, which alleged a violation of USR Code §150-20G.

38. On October 7, 2014, via complaint number SC-2014-11737, USR issued a violation to President Profess Baseball Ins. for an alleged violation of USR Code §150-37. See attached as **Exhibit "R"** is a true and correct copy of a case disposition information form regarding complaint number SC-2014-11738, which alleged a violation of USR Code §150-37.

USR'S REGULATION OF ITS UTILITY POLES

39. It has been the responsibility of USR's Police Department ("USR PD") and the Department of Public Works ("DPW") to enforce the prohibition by removing unauthorized signs, devices, or other matter placed on utility poles.

40. If a sign, device, or other matter that violated the law is within a USR PD officer's reach and can be safely removed by the officer, the unauthorized sign, device, or other matter would be removed by a USR PD officer without regard to the content of the unauthorized sign, device, or other matter.

41. If a sign, device, or other matter that violates the law is out of reach or affixed in a manner that prevents an officer from safely removing the unauthorized sign, device, or other matter with his or her hands, then the officer would (1) notify the property owner and have the property owner remove the unauthorized sign, device, or other matter; (2) the DPW would be notified and a DPW staff member would be dispatched to remove the unauthorized sign, device, or other matter using a truck or other device that could safely reach the item. This is also done without regard to the content of the item.

42. If the owner of the removed sign, device, or other matter is clear from the face of the item removed, then the owner is notified that the unauthorized sign, device, or other matter is at the USR PD. However, if the owner fails to retrieve the unauthorized sign, device, or other matter it would be disposed of. I can remember numerous occasions when unauthorized signs, devices, or other matter that had been removed from USR utility poles were piled up behind the USR PD building, waiting to be picked up and disposed of by the DPW or retrieved by their owners.

43. USR has consistently enforced and continues to consistently enforce this prohibition, even against extensions or divisions of its own government.

44. For example, in or around 2013 or 2014, an employee of the USR Building Department caused the USR Fire Department's signs,

advertising its car show fundraiser, to be removed from utility poles because they violated local law.

45. As far back as approximately twenty years ago, I recall the Lion's Club - located directly behind Borough Hall - had its signs, advertising its carnival, removed from utility poles.

46. It has been my experience that USR has consistently enforced its policy and code provisions that prohibit the attachment of unauthorized signs, devices and other matter to utility poles. The only time I recall that the Borough at times could not keep up with the posting of unauthorized signs, devices, and other matter, despite the effort invested, was in the midst of the fair housing issues in 2014 and in or around late summer of 2015.

47. As Chief of Police, I consistently ensured my officers removed unauthorized signs, devices, or other matter from utility poles.

48. Since even before the codification of the prohibition, USR has consistently enforced the prohibition and intends to continue to do so.

PLAINTIFFS' CLAIMS

49. I have reviewed Plaintiffs' papers in support of their preliminary injunction motion. In those papers, Plaintiffs repeatedly refer to their need for the eruv to travel to synagogue, while pushing baby carriages and wheelchairs or carrying items

such as keys and umbrellas. Declaration of S. Moshe Pinkasovits, ¶ 14; Declaration of Chaim Beruer, ¶ 9; Declaration of Moses Berger, ¶¶ 4 - 5, and 7 - 9; Declaration of Sarah Berger, ¶¶ 4 - 5, and 7 - 9; Declaration of Tzvi Schonfeld, ¶¶ 4 - 5, and 7 - 9; Yisroel Friedman, ¶¶ 4 - 5, and 7 - 9; Yosef Rosen, ¶¶ 4 - 5, and 7 - 9.

50. There are, however, no synagogues in USR. As a matter of common sense, Plaintiffs, all of whom live in New York, cannot travel through USR to get to synagogue.

51. Plaintiffs' First Amended Complaint erroneously alleges that Yosef Rosen's property, 26 Jean Lane, Monsey, New York, 10952, extends into USR. See Plaintiffs' First Amended Complaint, ¶ 37. In fact, no such property exists within USR.

52. On June 12, 2017, Vaad haEruv representatives came into USR and installed lechis on utility poles within USR.

53. The Vaad haEruv representatives did not have a permit to perform this work or the consent of USR to do. Based on my conversations with USR Code Official James Dougherty, I understand that Mr. Dougherty instructed the Vaad haEruv representatives to stop work while USR determined whether the Vaad haEruv could perform the installation of lechis consistent with local law and what type of consent the Vaad haEruv needed from USR to do so.

54. On June 15, 2017, Vaad haEruv representatives came to Borough Hall and spoke to Mr. Dougherty and USR's Part-Time Code Official, Steven Forbes. Based on my conversations with Mr.

Dougherty, I understand that during this conversation Mr. Dougherty excused himself, without stating where he was going and spoke to me about the eruv.

55. During my conversation with Mr. Dougherty, he explained that representatives of the Vaad haEruv were inquiring what had to be done for the Vaad haEruv to install lechis on utility poles and complete an eruv that would encompass portions of USR.

56. At the conclusion of my conversation with Mr. Dougherty, I advised Mr. Dougherty that he should refer the Vaad haEruv's representatives to the USR PD, as USR Code provides that USR PD was responsible for enforcing USR Code §122-17G. I now know, after further discussions with Mr. Dougherty, that he misunderstood me as suggesting the Vaad haEruv could proceed if the Vaad haEruv participated in a pre-construction meeting with the USR PD and complied with the traffic safety requirements identified by the USR PD.

57. Subsequently, I learned from the Borough Counsel that USR Code §122-17G and N.J.S.A. 48:3-19 require approval of the governing body before anything may be mounted to utility poles within the Borough.

THE AFFECTED POLES

58. I further learned of the large number of USR utility poles that are the subject of the eruv at issue in the above-captioned matter.

59. On October 19, 2017, at my instruction, Mr. Forbes conducted a survey of all utility poles on the streets impacted by the eruv (i.e., West Saddle River Road, Old Stone Church Road, East Saddle River Road, Weiss Road, Sparrowbush Road, and Hillside Avenue). Declaration of Steven Forbes, Exhibit A.

60. Mr. Forbes memorialized his observations in a list that sets forth the date of inspection, whether the utility pole has lechis attached, the number of lechis on the utility pole, the location of the utility pole, the utility pole number and the utility pole sub-number ("Mr. Forbes' List"). Id.

61. Pursuant to Mr. Forbes' list, there are 109 utility poles with lechis within USR.

62. I have reviewed Exhibit G to the Declaration of Rabbi Chaim Steinmetz in Support of Plaintiffs' Motion for a Preliminary Injunction (hereafter, "Rabbi Steinmetz Ex. G").

63. Rabbi Steinmetz Ex. G reveals that the Vaad haEruv allegedly obtained a license from O & R for the installation of lechis on only 40 utility poles. Id.

64. Further, a review of O & R's location descriptions, confirming the locations using Mr. Forbes' list, reveals that only 36 of the utility poles listed in the O & R alleged license are within USR. Id.; Mr. Forbes' List.

65. More specifically, utility pole numbers 57170-38903, located at 194 Upper Saddle River Rd, and 57284-38918, located at 168 Upper Saddle River, are both within Montvale, New Jersey. Id.

66. I investigated the locations of utility pole numbers 57170-38903 and 57284-38918 and confirmed that they are not in USR and are instead in Montvale, New Jersey.

67. Additionally, utility pole numbers 57307-38025 and 57308-39035, are at 1019 Chestnut Ridge Rd in Chestnut Ridge, New York. Id.

68. Again, I personally investigated the locations of utility pole numbers 57307-38025 and 57308-39035 and confirmed that they are not within USR and are instead within Chestnut Ridge, New York.

69. I have reviewed the Declaration of David Gudino, Esq. ("Gudino Decl."), counsel for Verizon, and compared his certification to Mr. Forbes' list and Rabbi Steinmetz Ex. G.

70. All poles identified on Mr. Forbes' List are accurately identified in the Gudino Decl.

71. The vast majority of utility poles with lechis on Mr. Forbes' List that are not listed within the O & R license fall within the section of the eruv that the Plaintiffs consider "active."

72. Further, utility pole number 56438-39120 no longer exist, because Mr. Forbes was unable to locate it and memorialize its location on his list. Mr. Forbes' List; Rabbi Steinmetz Ex. G.

73. Additionally, utility pole number 56811-39010 no longer exists, because Mr. Forbes was unable to locate it and memorialize its location on his list. Mr. Forbes' List; Rabbi Steinmetz Ex. G.

74. All utility poles that have a sub-number are owned by Verizon. Gudino Decl., ¶ 4.

75. When comparing Exhibit A of the Gudino Decl. to Mr. Forbes' List, I conclude that all poles on Mr. Forbes' List are subject to the Verizon Joint Use Agreement. See Gudino Decl., Exhibit A; Mr. Forbes' List. In other words, for Plaintiffs to have a "valid license" pertaining their use, Plaintiffs were required to obtain consent from both Verizon and O & R.

76. Further, all of the poles identified in Rabbi Steinmetz's Ex. G are also subject to the Verizon Joint Use Agreement. Id.; Gudino Decl., ¶ 6.

77. Twenty-one of the utility poles allegedly "licensed" by O & R are owned by Verizon. Rabbi Steinmetz Ex. G; Gudino Decl., ¶ 4.

78. It is curious that Plaintiffs allege that they have a valid license for an eruv but have failed to obtain a license from the utility pole owners and joint users of all of the utility poles in the "active" section of the eruv.

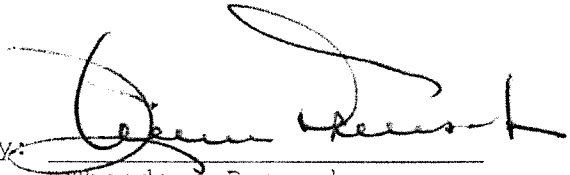
79. Plaintiffs have also failed to obtain the consent of Verizon, the joint user of all utility poles at issue and owner of most of the utility poles at issue in both the "active" and "inactive" sections of the eruv.

80. Additionally, it recently came to USR's attention that proper municipal consent was not obtained for the installation of a potentially dangerous ungrounded metal wire attached to the lechis and strung from utility pole to utility pole. Declaration of Patrick Rotella, ¶ 38, ¶ 45c. Further, I have learned that the lechis installed in USR are made of ungrounded PVC plumbing grade pipes. See Declaration of Steven Forbes, ¶ 16. Utilizing PVC plumbing grade pipe does not conform to the pipes' intended uses. Id.

81. Lastly, neither Plaintiffs nor the Vaad haEruv have ever approached USR seeking a permit, variance, or waiver from the Mayor and Council to place lechis on utility poles.

82. Were the Plaintiffs to seek such a permit, variance, or waiver, the Mayor and Council would give it due consideration, as they are required to do by law.

I declare under penalty of perjury that the foregoing is true
and correct.

By: 
Theodore Preusch
Borough Administrator
Borough of Upper Saddle
River

Executed on: November 2, 2017

EXHIBIT A

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BOROUGH OF UPPER SADDLE RIVER

ORDINANCE NO. 17-94

AN ORDINANCE TO AMEND CHAPTER 150 OF THE CODE
OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED
"ZONING".

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

Section 1.

Chapter 150 of the Code of the Borough of Upper Saddle River,
Section 150-21, subsection A thereof, is hereby amended to read as
follows:

A. R-1 and R-2 Districts. The following provisions shall
govern the placement of signs in the R-1 and R-2 Residence
Districts:

(1) One sign shall be permitted on any premises used for
residential purposes. The total area of such sign shall not exceed
twelve (12) square feet, and the height thereof shall not extend
six (6) feet above the natural grade of the property.

(2) Only freestanding signs shall be permitted and no
sign shall be attached to a tree, pole, building or structure.

(3) No sign shall be placed, located or displayed closer
than eight (8) feet to any property line.

(4) No sign shall be placed upon any roadway or public
right-of-way.

(5) A sign shall be placed at a location so as not to
obscure the line of sight at intersections or points of access to
the premises being served or adjacent premises.

(6) No sign shall be, in whole or part, moving, mobile,
flashing or revolving.

(7) No sign shall be illuminated externally by any light
source, including but not limited to floodlights, illuminated signs
or gas-filled tubes.

(8) No sign shall have more than (3) colors, inclusive
of its background, frame and decorative parts. For the purpose of

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this Ordinance, black and white shall be considered colors.

(9) Any sign visible through a window on the interior of a premises and located within three (3) feet of such window shall be considered a sign for the purpose of this Ordinance.

(10) The provisions and regulations of (1) through (8) above shall not apply to the following signs, which may be placed on premises in addition to the sign permitted in subsection A:

(a) A nonilluminated or indirectly illuminated nonflashing sign or signs identifying the residence, the resident or residents or the street address, or any combination thereof, and no such sign shall have an area of more than one (1) square foot, nor shall the aggregate square footage of such signs, if there is more than one (1), exceed two (2) square feet in area.

(b) Professional nameplates for premises containing an office as a lawful nonconforming use, which may in addition to the sign or signs permitted in (a) above, have one (1) nonilluminated or indirectly illuminated nonflashing professional announcement sign with an area of not over one (1) square foot.

(c) Customary warning, trespassing and posted signs or sign indicating the private nature of a driveway or property, provided that the size of any such sign shall not exceed one (1) square foot.

(d) Flags of the United States, State of New Jersey or other governmental or quasi-public agencies, or decorative or seasonal flags.

(e) Holiday decorations and lights on residential premises.

Section 2.

Chapter 150 of the Code of the Borough of Upper Saddle River, Section 150-37, subsection B thereof, is hereby amended to read as follows:

"B. A permit shall be required for every sign and sign structure regulated by this chapter. Prior to issuing any permit required by this section, the Construction Code Official shall collect a fee which shall be in accordance with the provisions set forth in Section 41-8 of the Borough Code."

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Section 3. Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

Section 4. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

FRANCIS J. GROUT, Mayor

RITA M. HAGEN
Borough Clerk/Administrator

Introduced:

Adopted:

Approved:

EXHIBIT B

*Borough of Upper Saddle River, NJ
Friday, October 27, 2017*

Chapter 150. Zoning

Article I. General Provisions

§ 150-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY

A building or use which is clearly incidental or subordinate to the principal building or use and located on the same lot with such principal building or use. Any accessory building attached to a principal building is deemed to be part of the principal building in applying the bulk regulations to accessory buildings.

AREA OF SIGN

The surface area computed by drawing a rectangle touching the outermost edges of letters comprising the sign, or the area established by reason of distinctive variation in background color, by borders or by some other equivalent manner, whichever is greater.

[Amended 11-14-1985]

BERM

A quantity of dirt, stone, fill or other suitable material or combinations of material, which is mounded up by a property owner.

[Added 9-13-1990 by Ord. No. 18-90]

BILLBOARD

An outdoor signboard or surface used for announcements, advertising posters or sign purposes.

[Amended 11-14-1985]

BUFFER

A portion of a lot along its front, rear or side lot line which contains only landscaping elements and does not contain any building, parking area or driveway, except that a front buffer may contain one or more driveways connecting the lot with the street, provided that such driveways are substantially perpendicular to the front lot line.

[Added 7-12-1984]

BUILDING

Any combination of materials forming a construction. The term "building" is not intended to include underground construction which permits the use of the ground above as if no construction existed. The term "building" shall include the term "structure" as well as the following:

- A. Signs.
- B. Fences.
- C. Walls, except retaining walls projecting above the ground not more than three feet at the higher ground level and not more than 6 1/2 feet at the lower ground level.
- D. Radio and television antennas, except for such antennas installed on the roof of a building and extending not more than 15 feet above the highest level of the roof of such building.

E. Porches, carports and other similar structures.

BUILDING, COMPLETELY ENCLOSED

A building separated on all sides from the adjacent open space or from other buildings or other structures by a permanent roof and by exterior walls or party walls pierced only by windows or normal entrance or exit doors.

BUILDING COVERAGE

The percentage of lot area which is improved with the principal building and any accessory buildings. Roofs, porches or similar extensions of any building shall be included as part of the building coverage. Any eave or similar projection shall be considered a part of the building for the computation of building coverage and the distance to the property line.

[Added 9-10-1981; amended 12-28-1995 by Ord. No. 20-95]

BUILDING, DETACHED

A building surrounded by open space on the same lot.

BUS

A vehicle accommodating nine or more passengers and not classified as a station wagon by the manufacturer.

COMMON OWNERSHIP

Ownership of two or more contiguous parcels of real property by one person or by two or more persons owning such property jointly as tenants by the entirety or as tenants in common.

DWELLING, ONE-FAMILY

A detached building containing one dwelling unit only.

DWELLING UNIT

A building or entirely self-contained portion thereof containing complete housekeeping facilities for only one family, including any domestic servants employed on the premises, and having no enclosed space (other than vestibules, entranceways or other hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit. A boarding- or rooming house, house trailer or other similar structures or vehicles shall not be deemed to constitute a dwelling unit.

EARTH STATION ANTENNA (receiver only)

An antenna, usually a dish antenna, whose purpose it is to receive television signals.

[Added 8-11-1983]

EQUIPMENT, COMMERCIAL

Any equipment such as log splitters, wood chippers, cement mixers, bulldozers, track diggers, surface graders, payloaders, landscaping and farm tractors or any other like equipment, either transported on trailer or under its own power. Expressly excluded from the meaning of this term are the typical homeowner lawn mower, lawn and garden tractor with trailer, snowplow or blower or similar equipment.

[Added 10-12-1994 by Ord. No. 15-94]

FAMILY

Any number of persons, related or not, living together as a single housekeeping unit.

[Amended 5-8-1986 by Ord. No. 8-86]

FLOOR AREA RATIO (FAR)

The ratio, expressed as a percent, of total floor area to total lot area.

[Added 9-10-1981]

HEIGHT

The vertical distance measured from the lowest exposed or adjacent grade of the building to the highest level of the roof, regardless of the type of roof, measured from natural grade.

[Amended 4-10-1996 by Ord. No. 1-96; 4-10-1999 by Ord. No. 3-99; 5-10-2000 by Ord. No. 5-00]

HOTEL

A single building used in the business of furnishing sleeping and eating accommodations to the general public of at least two separate stories above ground level, containing:
[Added 7-12-1984]

- A. At least 60 sleeping rooms, exclusive of public rooms and bathrooms.
- B. At least one restaurant within the building.
- C. A central entrance leading to a common lobby area, which lobby area shall contain the registration and service desk, which service desk shall be manned 24 hours a day.
- D. Sleeping rooms no less than 375 square feet in area, including closets and bathroom area.

IMPROVEMENT COVERAGE

The area on and under the ground, expressed as a percent of total lot area, which is occupied or covered with the principal and accessory buildings and all other improvements on or to the land, including but not limited to parking areas, driveways, tennis courts, curbing, sidewalks, walkways, lot entranceways, patios, swimming pools, decks, signs, pads for air conditioning, lighting or other equipment, retention and detention basins of pervious and impervious surfaces and any other hard surface, whether or not paved by way of macadam, concrete, bricks or other types of paving stones or blocks or surfaced with stones or gravel. Excluded from this definition shall be retention and detention basins that are constructed of natural materials, sewer, drainage and utility lines, underground storage tanks, sculpture, fountains or other artworks or ponds that are designed either to be kept filled with water or to be kept landscaped when dry.
[Added 9-10-1981; amended 12-28-1995 by Ord. No. 20-95]

LIGHT MANUFACTURING

The shaping, assembly and treatment of previously processed raw materials by manual or machine operation, provided that any such use shall not:
[Added 7-12-1984]

- A. Violate the performance standards or requirements of this chapter or any other ordinance of the Borough.
- B. Be a use expressly prohibited by this chapter.

LIVABLE FLOOR AREA

The floor area of a dwelling, excluding basements, cellars, rooms for heating equipment, garages and unenclosed porches, breezeways and other unheated areas, and including only such floor area under a sloping ceiling for which the headroom is not less than five feet six inches and then only if at least 75% of such floor area has a ceiling height of not less than seven feet six inches and if any such floor that is situated above another story has access to the floor below by a permanent built-in stairway.

LOT

A parcel of land, exclusive of any adjoining street, the location, dimensions and boundary of which are determined by description, as on a subdivision map of record or an official map, or by metes and bounds, which is occupied or intended to be occupied by one building and, if any, its accessory buildings, or by a group of buildings as permitted by this chapter, and including such open spaces appurtenant to such building or group of buildings as are required by this chapter.

A. LOT, CORNER

A lot at the junction of and abutting on two or more intersecting streets where the interior angle of intersection does not exceed 135°. A lot abutting a curved street shall be deemed a corner lot if the tangents to the curve at the points of intersection of the side lot lines with the street lines intersect on an interior angle of less than 135°.

B. LOT, DEPTH OF

The mean perpendicular distance between the front and rear lot lines.

C. LOT, WIDTH OF

The distance between the side lot lines measured along the front setback line regardless of where a structure is located or proposed to be located.

[Amended 8-9-1979]

D. LOT FRONTAGE

The distance between the side lot lines measured along a street lot line, which shall be no less than 25 feet from the center line of a street other than State Highway Route 17 and no less than 60 feet from the center line of Route 17. If any street is required by any governmental authority to have a width greater than set forth herein, then, for purposes of this definition, the street lot line shall be the boundary between the lot and the street as fixed by such governmental authority.

[Added 8-9-1979]

MOTEL

Any building or group of buildings used in the business of furnishing sleeping accommodations to the public, other than a hotel as defined herein.

[Added 7-12-1985]

MULTIFAMILY DWELLING

A building designed or intended to contain three or more dwelling units located above, below or to the side of each other, and which may share common facilities, such as entryways, hallways and utility systems. This term may include apartments, condominiums, and cooperatives.

[Added 2-5-2015 by Ord. No. 1-15]

NONCONFORMING BUILDING OR USE

A building or use that does not conform to the regulations prescribed for the zone in which it is situated.

NONCONFORMING LOT

A lot or parcel which does not have the minimum width, depth or contain the minimum area for the district in which it is located.

OFFICE BUILDING

A building used primarily for business offices or where the major use is business offices as opposed to retail, warehouse, residential or manufacturing use.

[Added 11-14-1985]

PARKING BAY

The parking unit comprising an aisle and the one or two rows of stalls served by it.

PRIVATE SWIMMING POOL

Includes any artificially constructed swimming pool or tank established or maintained upon any premises by any individual for his own or his family's use or for the use of guests of his household which has a capacity for water depth of more than 24 inches and whether maintained above the ground or below ground level.

SETBACK

A specified distance from a lot line within which a building may not extend, except that all street lot line setback measurements are to commence 25 feet from the center line of the street or streets, except on State Highway Route 17, where all highway lot line setback measurements shall commence 60 feet from the center line of the highway.

SIGN

Any inscription written, printed, painted or otherwise placed on a board, plate, banner or upon any material object or any device whatsoever which, by reason of its form, color, wording, activity or technique or otherwise, attracts attention to itself, used as a means of identification, advertisement or announcement. As used in this chapter, the term shall apply only to such signs as are visible to persons located outdoors.

[Amended 11-14-1985]

SINGLE OWNERSHIP

Ownership by one person or by two or more persons, whether jointly, as tenants by the entirety or as tenants in common, of a separate parcel of real property.

STORY

That portion of a building between the surface of any floor and the surface of the floor above it, or if there is no floor above it, then the space between the surface of the floor and the ceiling above it.

[Added 5-10-2000 by Ord. No. 5-00]

STORY, FIRST

The lowest story of the ground story of any building, the floor of which is not more than 12 inches below the ground level of the exterior walls of the building.

[Added 5-10-2000 by Ord. No. 5-00]

STORY, HALF

A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four feet above the floor of such story.

[Added 5-10-2000 by Ord. No. 5-00]

TRAILER, HOUSE; MOTOR HOME; CAMPER; CAMPING VEHICLE; and CAMPING TRAILER

Any vehicle used or intended to be used as a conveyance upon the public streets or highways, whether or not licensed as such, and includes self-propelled and non-self-propelled vehicles, as designed, constructed, reconstructed or added to by means of accessories in such a manner as to permit the occupancy thereof as a dwelling or sleeping place for one or more persons and having no foundation other than wheels, jacks or blocks.

[Amended 2-8-1973]

VEHICLE, COMMERCIAL

Any motor vehicle or trailer displaying commercial registration plates, or any motor vehicle or trailer having any permanent or temporary name, logo or other symbol applied to the vehicle which identifies it as a business or any attachment such as a toolbox, pipe rack, lumber rack, liftgate, snowplow and/or associated hydraulics, or any other accessory equipment that may indicate in any way that the vehicle is being used for purposes other than personal nonbusiness transportation.

[Added 10-12-1994 by Ord. No. 15-94]

WADING POOL

Any artificially constructed pool or tank which has the capacity for water depth of 24 inches or less and whether maintained above the ground or below the ground level.

YARD**A. YARD, FRONT**

An unoccupied ground area fully open to the sky between the street line and a line parallel thereto, termed the setback line.

B. YARD, REAR

An unoccupied ground area fully open to the sky between the rear lot line and a line drawn parallel thereto.

C. YARD, SIDE

An unoccupied ground area fully open to the sky between any property line other than a street or rear lot line and a line drawn parallel thereto and between the front and rear yards.

EXHIBIT C

Oct 26 2017 10:08 HP Fax

page 2

ORDINANCE #19-95

AN ORDINANCE TO AMEND CHAPTER 76 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER, NEW JERSEY, ENTITLED "LICENSES".

BE IT ORDAINED, by the Mayor and Council of the Borough of Upper Saddle River, County of Bergen, and State of New Jersey as follows;

Section 1.

Chapter 76 of the Code of the Borough of Upper Saddle River, Article V, Section 76-46, is hereby amended as follows:

Section 76-46: Signs:

The following shall be the sole signs permitted in connection with garage sales:

- (A) One (1) on-premises sign not exceeding three (3) square feet in area posted only on the scheduled sale days, which sign shall be removed immediately after the sale has been concluded.
- (B) Two (2) off-premises signs may be posted on a municipal right-of-way, and not on private property, provided that such sign shall be freestanding and shall not exceed three (3) square feet in area which signs shall be removed within 24 hours after the sale has been concluded.
- (C) Name and address of licensee shall be posted on the sign.
- (D) No signs shall be permitted to be posted on such structures as telephone poles, street signs, trees or fences.

Section 3.

Section 76-46.1: Violation and Penalties:

Except as otherwise provided in this Article, any person who violates or refuses to comply with this Article shall be liable to a penalty of one hundred dollars (\$100) for each offense.

Section 4. Inconsistent Ordinances Repealed:

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 5. Effective Date:

This ordinance shall take effect immediately upon final passage and publication as provided by law.

The above ordinance was introduced at a Regular meeting of the Mayor and Council on November 8, 1995 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 December 13, 1995 at 8:00 P.M. at the Borough Hall, Upper Saddle River, at which time and place all persons interested therein will be given an opportunity to be heard concerning same.

Rita M. Hagen
Borough Clerk

EXHIBIT D

Adopted 10/1/15

BOROUGH OF UPPER SADDLE RIVER

ORDINANCE #16-15

**AN ORDINANCE TO AMEND CHAPTER 122 OF THE
CODE OF THE BOROUGH OF UPPER SADDLE
RIVER ENTITLED, "STREETS AND SIDEWALKS".**

BE IT ORDAINED by the Mayor and Council of the Borough of Upper Saddle River, in the County of Bergen, and State of New Jersey as follows:

Section 1.

Chapter 122 of the Code of the Borough of Upper Saddle River, Streets and Sidewalks, Article III, Borough Road Regulations, §122-17, Unlawful Acts, be and is hereby amended to add the following paragraph:

"G. Post or affix any sign, advertisement, notice, poster, paper, device, or other matter to any public utility pole, shade tree, lamp post, curbstone, sidewalk, or upon any public structure or building, except as may be authorized or required by law."

Section 2. Fines and Penalties.

For violation of any provision of this Ordinance, the fines and penalties shall be in accordance with §1-15 of the Borough Code.

Section 3. Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the

controversy which such judgment shall be rendered.

Section 4. Inconsistent Ordinances Repealed.

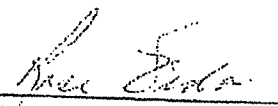
All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 5. Effective Date.

This Ordinance shall take effect after publication thereof and final passage as required by law.



JOANNE L. MINICHETTI, Mayor



ROSE VIDO, RMC Borough Clerk

Introduced: 4/3/15
Adopted: 10/1/15
Approved: 10/1/15

EXHIBIT E

Cindy Chen

REDACTED

From: Theodore F.Preusch <administrator@usrtoday.org>
Date: October 25, 2017 at 7:02:53 PM EDT
To: USRPD122 <USRPD122@usrtoday.org>
Subject: Fwd: Eruv <External Sender>

Sent from my iPhone

Begin forwarded message:

From: "Damiani, Michelle" <DAMIANIM@oru.com>
Date: August 10, 2015 at 2:44:32 PM EDT
To: TPreusch <usrpd122@aol.com>
Subject: RE: Eruv <External Sender>

Thanks again Ted and have a good day. Michelle

From: TPreusch [<mailto:usrpd122@aol.com>]
Sent: Monday, August 10, 2015 2:42 PM
To: Damiani, Michelle
Subject: RE: Eruv <External Sender>

Michelle,

OK, as I said upon her return I will work on his invitation.

Ted

From: Damiani, Michelle [<mailto:DAMIANIM@oru.com>]
Sent: Monday, August 10, 2015 1:53 PM
To: TPreusch <usrpd122@aol.com>
Subject: RE: Eruv <External Sender>

Yes, you are correct, Tim Cawley did attend back in 2014, and we'd like to attend again in 2015 due to our Advance Metering Infrastructure roll-out and Storm Hardening projects.

Thank you in advance for your assistance and as soon as I hear anything on ERUV I will let you know.

Michelle

From: TPreusch [<mailto:usrpd122@aol.com>]

Sent: Monday, August 10, 2015 1:01 PM

To: Damiani, Michelle

Subject: RE: Eruv <External Sender>

Michelle,

Actually, I thought Mr.Cawley did attend one of their meetings, sorry.

Joanne Minichetti happens to be away as of right now upon her return I will speak with her regarding your request.

Ted Preusch

From: Damiani, Michelle [<mailto:DAMIANIM@oru.com>]

Sent: Monday, August 10, 2015 12:14 PM

To: TPreusch <usrpd122@aol.com>

Subject: RE: Eruv <External Sender>

Hello Ted, Let me check with our Joint Use dept., they handle anything that go on the poles. Regards, Michelle

PS: Can you help me get Mayor Minichetti to give me a date for President Cawley to speak at her Mayors meeting?

From: TPreusch [<mailto:usrpd122@aol.com>]

Sent: Monday, August 10, 2015 11:16 AM

To: Damiani, Michelle

Subject: Eruv <External Sender>

EXTERNAL SENDER. Do not click on links if sender is unknown and never provide user ID

Michelle,

It was recently brought to the attention of Mayor Minichetti that a request has been filed with O&R regarding the place of the above on Utility Poles located within the confines of Upper Saddle River.

Could you confirm if this is true, and if such is the case with whom your legal department spoke with in Upper Saddle River.

Thank you,

Ted

THEODORE F. PREUSCH
Borough Administrator
Borough of Upper Saddle River
376 West Saddle River Road
Upper Saddle River, New Jersey 07458



EXHIBIT F

Chief Patrick Rotella

From: Lieutenant David Lally
Sent: Monday, July 17, 2017 11:42 AM
To: Chief Patrick Rotella
Subject: FW: ERUV in Upper Saddle River NJ
Attachments: image002.jpg; ATT00001.htm; SKM_554e17061216090.pdf; ATT00002.htm

Lt. David Lally
Upper Saddle River Police
368 West Saddle River Road
Upper Saddle River, NJ 07458

Phone 201-327-2700
Fax 201-934-3992

From: Chief Patrick Rotella
Sent: Tuesday, June 13, 2017 8:45 AM
To: Lieutenant David Lally <dlally@usrpd.net>
Subject: Fwd: ERUV in Upper Saddle River NJ

Patrick Rotella

Begin forwarded message:

From: "Damiani, Michelle" <DAMIANIM@oru.com>
Date: June 12, 2017 at 4:30:05 PM EDT
To: "Rotella, Patrick (Borough of Upper Saddle River Police)" <protella@usrpd.net>
Subject: ERUV in Upper Saddle River NJ

Chief,
My apologies for disrupting you day yesterday.

I wanted you to know that;

- Vaad is a contractor that is installing ERUV on utility poles within the Borough of Upper Saddle River.
- Federal Government requires the Utility Company to have a procedure, along with an applications process and required fees for any and all pole attachments, much like Fire Sirens, Telephone and Cable attachments and similarly for Flags, Vertical Banners and Holiday decoration attachments.
- Customers in the area were quite flustered and wanted some answers.

Attached you will find USR Ordinance regarding affixing to Public Utility poles... Letter G., that states; *except as may be authorized or required by law.*

In short, I highly recommend that the Borough of Upper Saddle River have a discussion with the Borough of Tenafly prior to taking any action. (in the Tenaflly case that went to Federal court, the Borough lost. There are a few other out there as well, like Westhampton Beach and Teaneck)

I have dealt with various NJ Bergen municipalities such as, Montvale, Mahwah and now Upper Saddle River, on this same issue and as a regulated utility company government by the BPU and the Federal government, RECO must abide by the rules and allow attachments for all entities/businesses that follow the procedure, apply and pay fees for space use on a utility pole.

Below is some information that I wanted to share with you, for your use, not for public distribution at this time...

Call me if we need to discuss further. Thank you.

Sincerely,
Michelle

Eruv in brief

What does this eruv look like?

This eruv is a narrow strip of white plastic conduit 1 inch wide and 14 to 22 feet long that runs vertically attached to the side of certain utility poles.

Why does O&R permit eruvs on its utility poles?

Our practice is consistent with federal and New York state laws governing utility pole attachments in the broad sense, and required based upon a number of court rulings pertaining to eruvs in the specific sense.

What do the court rulings say?

Both federal and state courts have been consistently supportive of the legality of eruv attachments. The courts have ruled that, because a wide variety of attachments are already legally allowed to be mounted on utility poles, the eruv cannot be excluded. The courts classify the eruv as a pole attachment and that's how O&R is required to treat the eruv.

Does the "separation of church and state" doctrine apply here?

It does not. O&R is a private company rather than a government organization. Therefore, the doctrine of "separation of church and state" does not apply.

How do O&R's regulators view this issue?

Federal and New York state laws dating back to 1978 have set forth requirements governing attachments to utility poles.

Though originally addressing the then-new cable television industry in those requirements, as the uses for the utility pole's space grew, state and federal regulators permitted other attachments on the poles.

What are some of those other attachments?

Some of the other attachments, in addition to the eruv, are telecommunications fiber optic cable, security cameras, license plate readers, small cell antennas and automated metering devices. Under the regulations, those uses, terms and charges are established by agreement of the utility pole owner and the entity seeking to attach to the pole.

Is there a stated policy and process for this work?

Yes. A description of the requirements is in O&R's Pole Attachment Policy. Under this policy, all attachees must go through a process which provides for an application and fee, licensing agreements, insurance requirements, surveys, and inspections by O&R before and after the installation.

Is there a charge for this work?

Yes. O&R uses the same formula to compute the annual charge for each pole attachment under this policy.

How many entities have attachments on O&R poles?

In 2016, O&R has contracts for pole attachments under this policy with 69 cable and telecommunications companies, and a number of other public and private entities. Also, 18 municipalities have contracts with O&R that permit holiday lighting installations on poles. Those charges are determined through a flat, kilowatt-hour usage fee.


Is the eruv unique to the O&R service area?

No. Approximately thirty of the 50 United States have at least one eruv.

There are approximately 50 recorded eruv installations in New York State and 22 in New Jersey.

All of downtown Washington, D.C., including the National Mall, memorials, the White House, the Capitol, the Smithsonian museums and the National Gallery, is located within an eruv.

Michelle Damiani
Manager – Regional & Community Affairs
Orange & Rockland Utilities, Inc., NY
Rockland Electric Company, NJ
One Lethbridge Plaza – Suite 32
Mahwah, NJ 07430
Office 201-236-6014
Cell/text 914-391-6266
Fax 646-654-3058
1-877-434-4100
damianim@oru.com

 please don't print this e-mail unless you really need to
HELPFUL LINKS ONLINE: [ORU Streetlight Portal](#) / [ORU Outage Map](#) / [Call Before You Dig](#)

*Borough of Upper Saddle River, NJ
Monday, June 12, 2017*

Chapter 122. Streets and Sidewalks

Article III. Borough Road Regulations

§ 122-17. Unlawful acts.

It shall be unlawful to:

- A. Cast, throw or spill dirt, sand, ashes, gravel, brick, stones, wastepaper, lumber or other similar loose material on a Borough road.
- B. Mix dry or wet concrete, cement or plaster of any kind or description on the surface of a Borough road.
- C. Spill turpentine, kerosene, gasoline, petroleum, lubricating oil or other highly flammable oils or their volatile products, or allow such fluids to escape, on the surface of a Borough road; or operate a tank truck or other vehicle from which fluids are permitted to escape.
- D. Flush or cause to be drained or pumped to the surface of a Borough road wastewater or fluid of any kind.
- E. Place or cause to be placed on a Borough road a permanent or temporary obstruction of any kind.
- F. Burn leaves or any other material on a Borough road which may cause sufficient heat to affect asphalt pavement.^[1]
 - [1] *Editor's Note: Former Subsection G, regarding throwing snow or ice on plowed roads, which immediately followed this subsection, was repealed 4-10-1996 by Ord. No. 2-96. See now § 122-17.1, Snow and ice removal; prohibited acts.*
- G. Post or affix any sign, advertisement, notice, poster, paper, device, or other matter to any public utility pole, shade tree, lamp post, curbstone, sidewalk, or upon any public structure or building, except as may be authorized or required by law.
[Added 10-1-2015 by Ord. No 16-15]

EXHIBIT G

Minutes of the Regular Meeting of the Mayor and Council held on Thursday, September 3, 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 December 19, 2014 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 Ditzkoff	Present
Councilman	Vincent M. Durante	Present
Councilwoman	Joanne Florio	Present
Councilman	Thomas Hafner	Present

RULE 2. Minutes of Executive, Closed and Regular Meetings of August 18, 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 DeBerardine.

RULE 3. Borough Clerk's Report:

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

Copies	\$	8.55
Garage Sales		16.00
Landscape Permits		20.00
Total	\$	44.55

The Borough Clerk's office issued 8 dog licenses for the month of August. \$12.60 was forwarded to the NJ Department of Health for the Pilot Clinic and Animal Control Fund.

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

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

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

Borough Official's Report:

Construction Code Official: Report for the month of August was received and filed.

RULE 4. Communications, Petitions & Bills:

Resolution from Township of Rochelle Park and Bd. Of Chosen Freeholders.

Councilman DeBerardine presented bills in the amount of \$4,524,744.00:

A motion by Councilman DeBerardine, seconded by Councilman DiMartino to pay bills in the amount of \$4,524,744.00 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, Ditkoff, Durante, Florio, Hafner. Nays: None.

RULE 5. Unfinished Business:

Councilwoman Florio read for the second time: (Ord. #13-15)

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, VEHICLES AND TRAFFIC".

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

Resolution by Councilwoman Florio, seconded by Councilman Durante:

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, VEHICLES AND TRAFFIC" was introduced at a Regular meeting of the Mayor and Council on August 18, 2015 and passed its first reading. After public hearing held on September 3, 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 Councilman Ditkoff was unanimously approved by all Council members present.

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

*Resolution #69-15

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments and Recommendations

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments and Recommendations

as evidenced by the Group Affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 54:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in additions shall forfeit his office".

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Upper Saddle River, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

*Resolution #70-15

WHEREAS, the Borough of Upper Saddle River advertised for the receipt of bids for the acquisition of a 3,000 Gallon Pumper-Tanker, with bids to be submitted on August 12, 2015; and

WHEREAS, on the aforesaid date, one (1) bid was submitted from Firefighter One LLC dba FF1 Professional Safety Services (hereinafter "Firefighter One"); and

WHEREAS, while the bid was submitted by Firefighter One, the required bid bond was submitted in the name of Ferrara Fire Apparatus Inc. of Holden, Louisiana; and

WHEREAS, the failure to provide a bid bond in the name of the bidder constitutes a defect which is not waivable.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby reject the bid submitted by Firefighter One; and

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized and directed to advertise for the receipt of bids for the aforementioned Pumper-Tanker.

*Resolution #71-15

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

WHEREAS, Mr. Jason Sippel has offered to make a donation in memory of long-time Upper Saddle River resident Arthur Crammes, for the purchase of new digital radios; and

WHEREAS, these items will be utilized by the Upper Saddle River Police Department;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Upper Saddle River hereby gratefully accepts this kind gift; and

BE IT FURTHER RESOLVED, that a letter expressing our gratitude be sent to Mr. Jason Sippel for his generous donation.

*Authorize Borough Clerk to seek bids for Snowplowing Services for the 2015-2016 season.

Councilman DeBerardine read for the first time: (Ord. #14-15)

"AN ORDINANCE TO AMEND CHAPTER 137 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED TREES".

Resolution by Councilman DeBerardine, seconded by Councilman Durante:

"AN ORDINANCE TO AMEND CHAPTER 137 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED TREES" was introduced at a Mayor and Council meeting on September 3, 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 October 1, 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.

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

Councilman Ditkoff read for the first time: (Ord. #15-15)

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED VEHICLES AND TRAFFIC".

Resolution by Councilman Ditkoff, seconded by Councilman DiMartino:

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED VEHICLES AND TRAFFIC" was introduced at a Mayor and Council meeting on September 3, 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 October 1, 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.

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

Councilman Durante read for the first time: (Ord. #16-15)

"AN ORDINANCE TO AMEND CHAPTER 122 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED STREETS AND SIDEWALKS".

Resolution by Councilman Durante, seconded by Councilman DeBerardine:

"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 September 3, 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 October 1, 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.

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

Mayor Minichetti appointed Robert Jacobs to serve as a Class IV member on the Upper Saddle River Planning Board to December 31, 2016.

A motion by Councilwoman Florio, seconded by Councilman Hafner to appoint Claudia Haller to serve on the Upper Saddle River Youth Guidance Council to December 31, 2015.

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

RULE 7. Public Comments:

In response to an inquiry by Ms. Carolyn Jean Christman, 478 W. Saddle River Road, regarding submission of an application for a Superstorm Sandy flood grant, Mayor Minichetti explained that Upper Saddle River had no flooding and therefore was not eligible for a flood grant, but that the Borough received a \$300,000 grant for the cleaning and de-snagging of rivers and brooks.

RULE 8. Adjournment:

A motion to adjourn by Councilman Durante, seconded by Councilman Ditkoff was unanimously approved by all Council members present. (Meeting adjourned at 8:27 p.m.)

Respectfully submitted,

Rose Vido, RMC
Borough Clerk

ready

SEP

Other Bill List**3-Sep-15****Affordable Housing**

Burgis Associates	1104	5,050.00
The Buzak Law Group	1105	14,038.61
		<u>19,088.61</u>

Construction Escrow Account

Loeffler/Eisenhauer	1699	500.00
Michael Roth	1700	5,437.75
		<u>5,937.75</u>

Health Dept Account

Current Fund	1017	2,042.00
		<u>2,042.00</u>

Open Space

Playground Medic	1431	1,125.00
Christopher Statile	1432	140.00
		<u>1,265.00</u>

Other Trust Account

Avenue Printing	5450	329.05
Chet Bednarz	5451	2,500.00
Boswell Engineering	5452	18,065.72
Jennifer Bottini	5453	2,681.25
Paul Douglas	5454	2,500.00
Gary & Lisa Halperin	5455	2,500.00
Mark Madaio	5456	610.00
Sharon Mattiace	5457	3,375.00
Joseph Shamoun	5458	2,500.00
		<u>35,061.02</u>

Total Other Funds	63,394.38
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CURRENT	3,951,608.71
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CAPITAL	44,208.71
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PAYROLL ACCOUNT	396,553.51
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WIRE TRANSFERS	68,978.69
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GRAND TOTAL	4,524,744.00
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September 3, 2015
01:03 PM

UPPER SADDLE RIVER BOROUGH
Check Register By Check Date

Page No: 1

Range of Checking Accts: CURRENTCOLUMBIA to CURRENTCOLUMBIA Range of Check Dates: 08/19/15 to 09/03/15

Report Type: All Checks

Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENTCOLUMBIA CURRENT COLUMBIA BANK ACCOUNT					
19093	09/03/15	00099 AUTO SPORT	5.97		2045
19094	09/03/15	00137 VERIZON	2,999.64		2045
19095	09/03/15	00300 BOARD OF EDUCATION	1,817,172.00		2045
19096	09/03/15	00510 CAPITAL ACCOUNT	1,000,000.00	09/03/15 VOID	2045
19097	09/03/15	01025 FEDEX	78.98		2045
19098	09/03/15	01280 LAWRENCE RAUCH	101.64		2045
19099	09/03/15	01796 IZENBERG APPRAISAL ASSOCIATES	600.00		2045
19100	09/03/15	02000 MAHWAH FORD SALES & SERVICE	38.14		2045
19101	09/03/15	02360 NORTHERN HIGHLANDS REGIONAL HS	1,029,241.33		2045
19102	09/03/15	02400 NORTHWEST BERGEN MUTUAL AID	850.00		2045
19103	09/03/15	02520 OFFICE BUSINESS SYSTEMS, INC.	2,606.00		2045
19104	09/03/15	02921 POSTMASTER	520.00		2045
19105	09/03/15	02990 PUBLIC SERVICE ELECTRIC AND	92.75		2045
19106	09/03/15	03150 REAL TIME CONSULTANTS, INC.	208.92		2045
19107	09/03/15	03165 ROBERT T. REGAN, ESQ.	3,688.50		2045
19108	09/03/15	03420 STONE INDUSTRIES	1,771.29		2045
19109	09/03/15	03779 UNITED WATER NEW JERSEY	5,570.60		2045
19110	09/03/15	B MDP BOROUGH OF MIDLAND PARK	152.00		2045
19111	09/03/15	BALANCE BALANCE POINT	232.94		2045
19112	09/03/15	BCMCAA BCMCAA	40.00		2045
19113	09/03/15	BLACKBUR BLACKBURN MANUFACTURING CO.	275.84		2045
19114	09/03/15	BOR BOROUGH OF UPPER SADDLE RIVER	71.60		2045
19115	09/03/15	COFFE COFFEE ASSOCIATES, INC.	86.85		2045
19116	09/03/15	DE LA DE LAGE LANDEN FIN SVCS	375.00		2045
19117	09/03/15	DELTA DELTA DENTAL PLAN OF NJ, INC.	6,396.85		2045
19118	09/03/15	DIRECT E DIRECT ENERGY BUSINESS	6,462.96		2045
19119	09/03/15	EASC EAST COAST EMERGENCY	627.33		2045
19120	09/03/15	EDMU EDMUNDS & ASSOCIATES, INC.	1,118.30		2045
19121	09/03/15	GARTN EDWARD GARTNER	89.64		2045
19122	09/03/15	GREAT GREAT BLUE LAKE & POND	320.50		2045
19123	09/03/15	HIGHW HIGHWAY TRAFFIC SUPPLY	378.90		2045
19124	09/03/15	HOME HOME DEPOT CREDIT SVCS	163.63		2045
19125	09/03/15	HORIZON HORIZON TERMITE & PEST CONTROL	75.00		2045
19126	09/03/15	INTWA INTERSTATE WASTE SERVICES INC	39,756.45		2045
19127	09/03/15	MADAI MARK D. MADAI, ESQ.	2,172.63		2045
19128	09/03/15	MORAN MORANO'S MARKET	92.50		2045
19129	09/03/15	NEW NJ MUNICIPAL COURT ADM. ASSOC	75.00		2045
19130	09/03/15	NJLM NEW JERSEY LEAGUE OF	55.00		2045
19131	09/03/15	OPT OPTIMUM	119.95		2045
19132	09/03/15	OPTI OPTIMUM	89.90		2045
19133	09/03/15	OPTIMU OPTIMUM	99.90		2045
19134	09/03/15	OPTIMUM OPTIMUM	164.79		2045
19135	09/03/15	PERENNIA PERENNIAL SERVICES LLC	305.00		2045
19136	09/03/15	PETCL PETTY CASH CLERK	84.47		2045
19137	09/03/15	POSTA POSTAGE BY PHONE RESERVE ACCT	628.11		2045
19138	09/03/15	RACHL RACHLES/MICHELE'S OIL CO., INC	638.53		2045
19139	09/03/15	RAMSE RAMSEY HARDWARE & PAINT	33.35		2045
19140	09/03/15	READY READY REFRESH BY NESTLE	980.34		2045
19141	09/03/15	READY RE READY REFRESH BY NESTLE	33.61		2045

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UPPER SADDLE RIVER BOROUGH
Check Register By Check Date

Page No: 2

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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19143	09/03/15	ROGUT ROGUT MCCARTHY LLC	828.30		2045
19144	09/03/15	ROHSLER ROHSLER'S ALLENDALE NURSERY	140.28		2045
19145	09/03/15	RUTGERS RUTGERS, THE STATE UNIVERSITY	781.00		2045
19146	09/03/15	STA STAPLES	64.20		2045
19147	09/03/15	STAP STAPLES, INC.	1,133.12		2045
19148	09/03/15	STAT STATE OF NEW JERSEY	9.00		2045
19149	09/03/15	STATE STATE OF NEW JERSEY	725.35		2045
19150	09/03/15	STATILE CHRISTOPHER P. STATILE, P.A.	295.00		2045
19151	09/03/15	STOTHOFF SAMUEL STOTHOFF COMPANY	345.00		2045
19152	09/03/15	TOWNSHIP TOWNSHIP OF MAHWAH	6,034.19		2045
19153	09/03/15	TRI-STAT TRI-STATE TECHNICAL SERVICES	1,319.37		2045
19154	09/03/15	VE VERIZON WIRELESS	38.01		2045
19155	09/03/15	VERIZ VERIZON WIRELESS	180.98		2045
19156	09/03/15	VERIZONW VERIZON WIRELESS	20.02		2045
19157	09/03/15	VERZN VERIZON WIRELESS	280.11		2045
19158	09/03/15	VRZN VERIZON WIRELESS	60.86		2045
19159	09/03/15	WESTY WESTY STORAGE CENTERS	854.00		2045
19160	09/03/15	WITMER WITMER PUBLIC SAFETY GROUP INC	1,398.30		2045
19161	09/03/15	00510 CAPITAL ACCOUNT	1,000,000.00		2047
19162	09/03/15	03230 ROCKLAND ELECTRIC COMPANY	3,124.07		2047
19163	09/03/15	03779 UNITED WATER NEW JERSEY	501.59		2047

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	70	1	3,951,608.71	1,000,000.00
Direct Deposit:	0	0	0.00	0.00
Total:	70	1	3,951,608.71	1,000,000.00

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
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Direct Deposit:	0	0	0.00	0.00
Total:	70	1	3,951,608.71	1,000,000.00

September 3, 2015
01:04 PM

UPPER SADDLE RIVER BOROUGH
Check Register By Check Date

Page No: 1

Range of Checking Accts: CAPITAL to CAPITAL Range of Check Dates: 08/19/15 to 09/03/15
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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CAPITAL	GENERAL CAPITAL FUND				
2871	09/03/15	10-75 10-75 EMERGENCY LIGHTING LLC	8,633.98		2046
2872	09/03/15	D L D & L PAVING CONTRACTORS INC.	29,785.00		2046
2873	09/03/15	EASC EAST COAST EMERGENCY	1,360.97		2046
2874	09/03/15	VAN G VAN GROUW WELDING, INC.	4,428.76		2046
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Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	4	0	44,208.71 0.00
		Direct Deposit:	0	0	0.00 0.00
		Total:	4	0	44,208.71 0.00
<hr/>					
Report Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	4	0	44,208.71 0.00
		Direct Deposit:	0	0	0.00 0.00
		Total:	4	0	44,208.71 0.00

September 3, 2015
01:09 PM

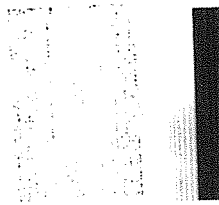
UPPER SADDLE RIVER BOROUGH
Check Register By Check Date

Page No: 1

Range of Checking Accts: WIRE TRANSFERS to WIRE TRANSFERS Range of Check Dates: 08/19/15 to 09/03/15
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
<hr/>					
WIRE TRANSFERS	WIRES				
100082	09/03/15	STNJ STATE OF NEW JERSEY	68,978.69		2048
<hr/>					
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
	Checks:		1	0	68,978.69 0.00
	Direct Deposit:		0	0	0.00 0.00
	Total:		<u>1</u>	<u>0</u>	<u>68,978.69</u> <u>0.00</u>
<hr/>					
Report Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
	Checks:		1	0	68,978.69 0.00
	Direct Deposit:		0	0	0.00 0.00
	Total:		<u>1</u>	<u>0</u>	<u>68,978.69</u> <u>0.00</u>

EXHIBIT H



usrpd122

From: Winter, Neil L. Jr. <WINTERN@oru.com>
Sent: Tuesday, September 29, 2015 2:53 PM
To: Winter, Neil L. Jr.
Subject: POLITICAL CANDIDATES: PLEASE DO NOT POST CAMPAIGN SIGNS ON UTILITY POLES

Please see the note below. We would appreciate if you could post this on your municipal web site.

O&R TO POLITICAL CANDIDATES: POST NO SIGNS ON UTILITY POLES

PEARL RIVER, NY Sept. 29, 2015 ---Orange and Rockland Utilities, Inc. today issued a reminder to all political candidates and their campaign workers about O&R's long-standing policy prohibiting the posting of all signs on utility poles.

This policy is grounded in very practical safety and litter control considerations and O&R is asking the cooperation of political campaigns for compliance.

Before anyone ever imagined the Internet, one of the most popular local message boards by default became the utility poles that line many of the community's streets. The poles were one of the most convenient and accessible methods for hosting a posting. Signs of every shape, size and message sprung up every political season.

Unfortunately, those signs and posters usually are affixed to the poles with staples, tacks or nails, which present a potential hazard to O&R employees working on the poles.

Further, such signs can obscure the pole's 10-digit I.D. number, hindering customer efforts to determine a definitive pole location when reporting outages or damage.

In addition, signs on poles may impair sight lines at intersections, or otherwise present a visual distraction to motorists. And, once the campaigns have taken place, the outdated signs remain as an eyesore and eventually a litter nuisance.

EXHIBIT I

Minutes of the Regular Meeting of the Mayor and Council held on Thursday, October 1, 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.

Mr. Steven Benvenisti, Vice Chairman of MADD presented the Distinguished Service Award to Police Officers Joseph Farrow, Michael Spina and Collin Gurney for their meritorious service enforcing laws in order to protect the community and make our roads safer from drunk driving violations.

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 December 19, 2014 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	Absent
Councilman	Steven DiMartino	Present
Councilman	Jonathan Ditzkoff	Present
Councilman	Vincent M. Durante	Present
Councilwoman	Joanne Florio	Present
Councilman	Thomas Hafner	Present

RULE 2. Minutes of Executive, Closed and Regular Meetings of September 3, 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 DiMartino.

RULE 3. Borough Clerk's Report:

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

Copies	\$	5.45
Garage Sales		18.00
Landscape Permits		10.00
Total	\$	33.45

The Borough Clerk's office issued 2 dog licenses for the month of September. \$2.40 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. #10-15 - Soil Removal
- 2) Adoption of Ord. #11-15 - Parking at Library
- 3) Adoption of Ord. #12-15 - Land Exchange
- 4) Introduction of Ord. #13-15 - Vehicles & Traffic
- 5) Notice to Bidders - 2015 Road Improvement Project

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

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

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

Library: Report for the month of September was received and filed.

Borough Official's Report:

Construction Code Official: Report for the month of September was received and filed.

Other Boards & Commissions:

Municipal Court: Report for the month of August was received and filed.

RULE 4. Communications, Petitions & Bills:

NBCUA Minutes of July 21, 2015.

Resolutions from Borough of Ramsey and Bd. Of Chosen Freeholders.

Councilman DiMartino presented bills in the amount of \$3,894,247.84:

A motion by Councilman DiMartino, seconded by Councilman Durante to pay bills in the amount of \$3,894,247.84 was unanimously approved by all Council members present. Mayor Minichetti declared bills approved for payment and ordered checks drawn.

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

RULE 5. Unfinished Business:

Councilman Durante read for the second time: (Ord. #14-15)

"AN ORDINANCE TO AMEND CHAPTER 137 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED TREES".

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

Resolution by Councilman Durante, seconded by Councilman Ditkoff:

"AN ORDINANCE TO AMEND CHAPTER 137 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED TREES" was introduced at a Regular meeting of the Mayor and Council on September 3, 2015 and passed its first reading. After public hearing held on October 1, 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 DiMartino, Ditkoff, Durante, Florio, Hafner. Nays: None.

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

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED VEHICLES AND TRAFFIC".

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

Resolution by Councilman Ditzkoff, seconded by Councilman DiMartino:

"AN ORDINANCE TO AMEND CHAPTER 145 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, VEHICLES AND TRAFFIC" was introduced at a Regular meeting of the Mayor and Council on September 3, 2015 and passed its first reading. After public hearing held on October 1, 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 DiMartino, Ditzkoff, Durante, Florio, Hafner. Nays: None.

Councilman Durante read for the second time: (Ord. #16-15)

"AN ORDINANCE TO AMEND CHAPTER 122 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED STREETS AND SIDEWALKS".

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

Resolution by Councilman Durante, seconded by Councilwoman Florio:

'AN ORDINANCE TO AMEND CHAPTER 122 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, STREETS AND SIDEWALKS" was introduced at a Regular meeting of the Mayor and Council on September 3, 2015 and passed its first reading. After public hearing held on October 1, 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 DiMartino, Ditzkoff, 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 DiMartino, Ditzkoff, Durante, Florio, Hafner. Nays: None.

*Resolution #61-15

WHEREAS, application for renewal of an alcoholic beverage license has been received from BESO XOXO, 209 State Highway Route 17, Upper Saddle River, N.J. 07458 and proper fees have been filed with State and local authorities; and

WHEREAS, pursuant to N.J.S.A.33:1-12.39, the New Jersey Division of Alcoholic Beverage Control Commission has granted a Special Ruling N.J.S.A. 33:1-12.39 for the 2015-2016 license term;

NOW, THEREFORE, BE IT RESOLVED, that the following alcoholic beverage pocket license be renewed effective July 1, 2015 to June 30, 2016, with approval based upon the representations set forth in the petitioner's notarized letter;

License #0263-33-003-004

A Plenary Retail Distribution License is hereby issued to BESO XOXO Corporation, 209 State Highway Route 17, Upper Saddle River, N.J. 07458.

*Resolution #72-15

WHEREAS, the Borough of Upper Saddle River entered into the Municipal Shared Services Defense Agreement ("MSSDA") for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action ("Litigation") that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision"); and

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

WHEREAS, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA ("Amendment") has been prepared to effectuate the modification; an

WHEREAS, the Borough Council of the Borough of Upper Saddle River recognizes that the Litigation requires immediate action and may require further expedited actions by its counsel determined to be necessary and appropriate; and

WHEREAS, the Borough Council of the Borough of Upper Saddle River has determined that it is in the best interests of the citizens of the Borough of Upper Saddle River to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Upper Saddle River, as follows:

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.
2. The Mayor and Borough Clerk be and are hereby authorized to execute the aforesaid Amendment.
3. The Borough Council of the Borough of Upper Saddle River hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of the Borough of Upper Saddle River with Econsult Solutions, Inc.

The Borough Council of the Borough of Upper Saddle River hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of the Borough of Upper Saddle River with the approval of the Borough's designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

4. The Borough Council of the Borough of Upper Saddle River further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.

In the event such changes and actions require the municipality to appropriate and commit any additional funding for the MSSDA, the Borough of Upper Saddle River shall only be responsible for such funding if it authorizes same.

5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Borough.
6. This Resolution shall take effect immediately.

*Resolution #73-15

RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that Fire Chief Erik Verheilig attended the New Jersey State Firemen's Convention held in Wildwood, New Jersey on September 17 and 18, 2015; and

BE IT RESOLVED that the Treasurer is hereby authorized to issue him a check not exceeding \$200.00 for expenses in attending said conference; and

BE IT FURTHER RESOLVED that actual vouchers are to be submitted in due course to substantiate actual expenses and any portion of this advance not vouchered is to be returned.

*Resolution #74-15

RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that the following lifetime firemen attended the New Jersey State Firemen's Convention held in Wildwood, New Jersey on September 17 and 18, 2015:

Larry Rauch
John Manke
Joseph Kelly
Joseph Raymond

BE IT RESOLVED that the Treasurer is hereby authorized to issue each of them a check not exceeding \$200.00 for expenses in attending said conference; and

BE IT FURTHER RESOLVED that actual vouchers are to be submitted in due course to substantiate actual expenses and any portion of this advance not vouchered is to be returned.

*Resolution #75-15

WHEREAS, the Borough of Upper Saddle River advertised that sealed proposals would be received on September 22, 2015 to provide Snowplowing Services for the 2015-2016 season; and

WHEREAS, in response to said advertisement for proposals, a bid submitted by Groesbeck & Groesbeck, 155 Darlington Avenue, Ramsey, NJ 07446 was the lowest responsible bidder in an amount of \$130.00 to \$150.00 per hour as the base bid and \$120.00 to \$150.00 per hour as the alternate bid; and

WHEREAS, the submission has been reviewed and found to be in conformance with the specifications;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby award a contract to Groesbeck & Groesbeck, 155 Darlington Avenue, Ramsey, NJ 07446, to provide 2015-2016 Snowplowing Services; bid;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for the aforesaid service after same has been prepared by the Borough Attorney.

*Resolution #76-15

WHEREAS, the Upper Saddle River Public Library and the Upper Saddle River Historical Society is co-sponsoring a Harvest Festival on Sunday, October 25, 2015; and

WHEREAS, Upper Saddle River Municipal Code §98-6.1B permits the Mayor and Council to suspend the parking regulations at Lions Memorial Park, the Public Library and the Goetschius Museum;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Upper Saddle River does hereby suspend the parking regulations which require a permit sticker and/or placard for Sunday, October 25, 2015.

*Resolution #77-15

WHEREAS, the Borough of Upper Saddle River ("the Borough") is the owner of certain premises known as Block 1002, Lot 4.02 as depicted on the Borough tax map ("the property" or "the premises") which encompasses a land area of approximately 7.8 acres; and

WHEREAS, the Borough is desirous to have the property developed with a total of seventy (70) affordable housing units, forty-six (46) of which would be available to senior citizens and twenty-four (24) units for special needs individuals; and

WHEREAS, the Borough has reviewed a presentation by the Housing Development Corporation of Bergen County ("the Housing Corporation"), a not-for-profit corporation and an affiliated entity of the Bergen County Housing Authority; and

WHEREAS, N.J.S.A. 40A:12-21(1) permits a municipality to convey land to a duly incorporated non-profit housing corporation for the purpose of constructing low and moderate income housing; and

WHEREAS, a Ground Lease Option Agreement has been prepared which provides for a Ground Lease between the Borough and the Housing Corporation and an option to the Housing Corporation to obtain funding by September 30, 2016, provided that by said date the Housing Corporation performs all due diligence in connection with the property, including but not limited to, environmental studies and filing a development application with the Borough for the construction of the affordable units as described aforesaid; and

WHEREAS, the Governing Body has determined that execution of this Ground Lease Option Agreement will advance the purpose of constructing affordable housing units on the property in furtherance of the Borough's Affordable Housing Plan.

NOW THEREFORE BE IT RESOLVED that Mayor Joanne L. Minichetti and Borough Clerk Rose Vido be and are hereby authorized to execute the Ground Lease Option Agreement on behalf of the Borough.

*Resolution #78-15

WHEREAS, the Borough of Upper Saddle River advertised that sealed proposals would be received on September 22, 2015 for the Acquisition of a 3000 gallon Pumper/Tanker; and

WHEREAS, in response to said advertisement for proposals, three (3) bids were received, with the submission by First Priority, 2444 Ridgeway Blvd., Manchester, New Jersey 08759 being the lowest responsible bidder in the amount of \$662,187.00; and

WHEREAS, the bid has been reviewed by the Borough Attorney and found to be in conformance with the specifications;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Upper Saddle River that it does hereby award a contract to First Priority, 2444 Ridgeway Blvd., Manchester, New Jersey 08759;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute a contract for the aforesaid service after same has been prepared by the Borough Attorney.

A motion by Councilman Durante, seconded by Councilwoman Florio to approve Fire Department membership of Arman Fardanesh:

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

Councilman Ditkoff read for the first time: (Ord. #17-15)

"AN ORDINANCE TO AMEND CHAPTER 150 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED, ZONING".

Resolution by Councilman Ditkoff, seconded by Councilman Durante:

"AN ORDINANCE TO AMEND CHAPTER 150 OF THE CODE OF THE BOROUGH OF UPPER SADDLE RIVER ENTITLED ZONING" was introduced at a Mayor and Council meeting on October 1, 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 November 3, 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.

Roll Call: Ayes: Council member DiMartino, Ditkoff, Durante, Hafner.
Nays: Councilwoman Florio.

RULE 7. Public Comments:

Mr. Thomas Farley, 49 Elizabeth Terrace, suggested Upper Saddle River and Mahwah purchase the Apple Ridge property for use as a 9 hole golf course and recreation. Mayor Minichetti informed Mr. Farley that a subdivision application for development of single family homes on the property was approved by the Planning Board at a meeting held last night. Mr. Barry Ervin, 50 Mill Glen Road was informed that after lengthy discussions, the resolution regarding development of the property will reflect a number of conditions, as required by the Planning Board.

Mr. Scot Beckerman introduced himself as the new Northern Highlands Regional High School Superintendent of Schools and offered the Council his assistance. Mayor Minichetti thanked and welcomed Mr. Beckerman.

RULE 8. Adjournment:

A motion to adjourn by Councilman Durante, seconded by Councilman DiMartino was unanimously approved by all Council members present. (Meeting adjourned at 8:27 p.m.)

Respectfully submitted,

Rose Vido, RMC
Borough Clerk

OCT

Other Bill List**1-Oct-15****Affordable Housing**

Piazza & Assoc	1106	575.13
The Buzak Law Group	1107	10,851.01
Mark D. Madaio	1108	420.00
		<u>11,846.14</u>

Animal Account

N.J. Dept of Health	4200	21.00
		<u>21.00</u>

Construction Escrow Account

Karen & Steven Begleiter	1701	7,295.00
William & Debra Ferri	1702	500.00
David Jackson	1703	6,350.25
		<u>14,145.25</u>

DARE

Creative Products	7583	2,791.80
		<u>2,791.80</u>

Health Dept Account

Current Fund	1018	1,479.00
Treasurer, State of NJ	1019	175.00
		<u>1,654.00</u>

Open Space

North Jersey Irrigation	1433	4,122.50
Perennial Svcs	1434	10,077.00
Trico Electric	1435	297.85
APG Security	1436	4,936.10
		<u>19,433.45</u>

Other Trust Account

Raffe & Suzy Balabanian	5459	1,050.00
Carbon Productions	5460	1,000.00
Mark Madaio	5461	3,070.00
Michael & Asha Roth	5462	2,500.00
		<u>7,620.00</u>

Total Other Funds	57,511.64
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CURRENT	3,323,866.38
CAPITAL	48,284.57
PAYROLL ACCOUNT	395,606.56
WIRE TRANSFERS	68,978.69

GRAND TOTAL	3,894,247.84
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October 1, 2015
01:09 PMUPPER SADDLE RIVER BOROUGH
Check Register By Check Date

Page No: 1

Range of Checking Accts: CURRENTCOLUMBIA to CURRENTCOLUMBIA Range of Check Dates: 09/04/15 to 10/01/15
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19179	10/01/15	Alignment Check		VOID	
19180	10/01/15	00075 AMERICAN TRADE MARK CO.	136.80		2052
19181	10/01/15	00105 AVENUE PRINTING COMPANY	2,149.55		2052
19182	10/01/15	00300 BOARD OF EDUCATION	1,817,172.00		2052
19183	10/01/15	00720 CURRENT ACCOUNT	4,513.84		2052
19184	10/01/15	00913 DOWNES TREE SERVICE, INC.	1,185.00		2052
19185	10/01/15	00985 EMPLOYEE DATA FORMS OF MO LLC	27.25		2052
19186	10/01/15	01025 FEDEX	64.90		2052
19187	10/01/15	01868 MICHAEL L. KINGMAN, ESQ.	250.00		2052
19188	10/01/15	02025 WILFRED MACDONALD, INC.	5,811.36		2052
19189	10/01/15	02120 MUNICIPAL RECORD SERVICE	1,176.00		2052
19190	10/01/15	02195 TREASURER	1,200.00		2052
19191	10/01/15	02360 NORTHERN HIGHLANDS REGIONAL HS	1,029,241.33		2052
19192	10/01/15	02376 NORTH JERSEY MEDIA GROUP INC.	442.93		2052
19193	10/01/15	02402 HARRY D. NORTON JR., ESQ.	350.00		2052
19194	10/01/15	02674 PITNEY BOWES GLOBAL FIN SVCS	912.00		2052
19195	10/01/15	02990 PUBLIC SERVICE ELECTRIC AND	100.31		2052
19196	10/01/15	03150 REAL TIME CONSULTANTS, INC.	200.00		2052
19197	10/01/15	03165 ROBERT T. REGAN, ESQ.	2,150.00		2052
19198	10/01/15	03230 ROCKLAND ELECTRIC COMPANY	2,564.39		2052
19199	10/01/15	03420 STONE INDUSTRIES	791.68		2052
19200	10/01/15	03425 STORR TRACTOR COMPANY	120.06		2052
19201	10/01/15	03705 TROPICANA CASINO RESORT	190.00		2052
19202	10/01/15	03779 UNITED WATER NEW JERSEY	5,980.93		2052
19203	10/01/15	03790 UPPER SADDLE RIVER LIBRARY	228,680.50		2052
19204	10/01/15	10-75 10-75 EMERGENCY LIGHTING LLC	1,055.08		2052
19205	10/01/15	A A A & A SIGNS	475.00		2052
19206	10/01/15	ABCHS ABCHS	190.00		2052
19207	10/01/15	ABLE ABLE ROLLING STEEL DOOR, INC.	1,065.00		2052
19208	10/01/15	AGES AGE'S AUTO, LLC	887.10		2052
19209	10/01/15	APPROVED APPROVED SURGICAL SUPPLIES INC	60.00		2052
19210	10/01/15	BALANCE BALANCE POINT	436.60		2052
19211	10/01/15	BARR OFF BARR OFFICE SUPPLY, INC.	20.50		2052
19212	10/01/15	BERGEN B BERGEN BRICK, STONE & TILE	262.50		2052
19213	10/01/15	BOR BOROUGH OF UPPER SADDLE RIVER	53.49		2052
19214	10/01/15	BORGA BORGATA HOTEL CASINO & SPA	4,495.00		2052
19215	10/01/15	BOROUG BOROUGH OF RIVERLDALE	150.00		2052
19216	10/01/15	BUON BUONO TO THE MAX	182.19		2052
19217	10/01/15	C C C & C TIRE, INC.	253.60		2052
19218	10/01/15	CAROU CAROUSEL CAKES	258.65		2052
19219	10/01/15	COFFE COFFEE ASSOCIATES, INC.	89.85		2052
19220	10/01/15	DALE SHERRI D'ALESSANDRO	30.00		2052
19221	10/01/15	DE LA DE LAGE LANDEN FIN SVCS	375.00		2052
19222	10/01/15	DELGA DELGADO INTERPRETING SERVICE	300.00		2052
19223	10/01/15	DELTA DELTA DENTAL PLAN OF NJ, INC.	6,813.13		2052
19224	10/01/15	DIRECT E DIRECT ENERGY BUSINESS	632.95		2052
19225	10/01/15	DRAEGER DRAEGER SAFETY DIAGNOSTICS INC	169.00		2052

October 1, 2015
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Check Register By Check Date

Page No: 2

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19226	10/01/15	DSP P DSP PRODUCTS, INC.	80.00		2052
19227	10/01/15	EDMU EDMUNDS & ASSOCIATES, INC.	132.84		2052
19228	10/01/15	ESAU ESAU ALI	160.49		2052
19229	10/01/15	FAIL SAF FAIL SAFE HOSE TESTING	2,713.75		2052
19230	10/01/15	FIREFIGH FIREFIGHTER ONE LLC	4,668.22		2052
19231	10/01/15	FJH FJH TRUCK REPAIRS	2,316.44		2052
19232	10/01/15	FRANCOS ANTHONY FRANCO'S RISTORANTE	33.70		2052
19233	10/01/15	GALLO KENNETH GALLO, ESQ.	125.00		2052
19234	10/01/15	GARTN EDWARD GARTNER	304.62		2052
19235	10/01/15	GREEN GREEN LION DIGITAL LLC	510.66		2052
19236	10/01/15	Alignment Check		VOID	
19237	10/01/15	HIGHW HIGHWAY TRAFFIC SUPPLY	285.20		2052
19238	10/01/15	HOME HOME DEPOT CREDIT SVCS	493.41		2052
19239	10/01/15	HORIZON HORIZON TERMITE & PEST CONTROL	75.00		2052
19240	10/01/15	HUDS HUDSON CITY BANK	3,130.00		2052
19241	10/01/15	HUNTERDO HUNTERDON HILLS PLAYHOUSE	150.00		2052
19242	10/01/15	INTWA INTERSTATE WASTE SERVICES INC	39,756.45		2052
19243	10/01/15	LEPOR GENE P. LEPORIERE	131.89		2052
19244	10/01/15	LIFE LIFESAVER, INC.	238.16		2052
19245	10/01/15	LOVELESS HELENA LOVELESS	25.00		2052
19246	10/01/15	MADAI MARK D. MADAI, ESQ.	783.50		2052
19247	10/01/15	MCKIRDY MCKIRDY & RISKIN, P.A. AND	5,141.12		2052
19248	10/01/15	MORAN MORANO'S MARKET	92.50		2052
19249	10/01/15	NAT T NATIONAL TICKET CO	105.11		2052
19250	10/01/15	NATI NATIONAL LAWN & EQUIPMENT	599.41		2052
19251	10/01/15	NJ LE NJ LEAGUE OF MUNICIPALITIES	49.00		2052
19252	10/01/15	NJ PUBLI NJ PUBLIC SAFETY ACCREDITATION	299.00		2052
19253	10/01/15	NJLEAGUE NJ LEAGUE OF MUNICIPALITIES	55.00		2052
19254	10/01/15	NJLM NEW JERSEY LEAGUE OF	900.00		2052
19255	10/01/15	NORTON NORTON PAINT	52.18		2052
19256	10/01/15	OPT OPTIMUM	119.95		2052
19257	10/01/15	OPTI OPTIMUM	89.90		2052
19258	10/01/15	OPTIM OPTIMUM	79.90		2052
19259	10/01/15	OPTIMU OPTIMUM	99.90		2052
19260	10/01/15	OPTIMUM OPTIMUM	164.79		2052
19261	10/01/15	PA P&A AUTO PARTS	1,671.91		2052
19262	10/01/15	PERFECT PERFECT CUT TREE SERVICE	200.00		2052
19263	10/01/15	PETCL PETTY CASH CLERK	106.36		2052
19264	10/01/15	POSTA POSTAGE BY PHONE RESERVE ACCT	729.92		2052
19265	10/01/15	RACHL RACHLES/MICHELE'S OIL CO., INC	3,014.58		2052
19266	10/01/15	RAMSE RAMSEY HARDWARE & PAINT	81.19		2052
19267	10/01/15	READY READY REFRESH BY NESTLE	135.57		2052
19268	10/01/15	READY RE READY REFRESH BY NESTLE	66.46		2052
19269	10/01/15	REGAN ROBERT T. REGAN	5,733.33		2052
19270	10/01/15	ROCKE ROCKET BUILDING SUPPLY CO.	250.00		2052
19271	10/01/15	RUDOX RUDOX ENGINE & EQUIPMENT CO	450.00		2052
19272	10/01/15	RUGGED RUGGED OUTFITTERS	2,505.12		2052
19273	10/01/15	SAFE LAN SAFE LAND TITLE AGENCY	3,290.00		2052
19274	10/01/15	SCHEPISI SCHEPISI & MCLAUGHLIN, P.A.,	90,000.00		2052
19275	10/01/15	SIRCH SIRCHIE FINGER PRINT LABS	104.50		2052
19276	10/01/15	STAP STAPLES, INC.	0.00	10/01/15 VOID	0
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UPPER SADDLE RIVER BOROUGH
Check Register By Check Date

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19280	10/01/15	SWIFT SWIFTREACH NETWORKS, INC.	250.00		2052
19281	10/01/15	TK TK COMMUNICATIONS CONSULTANTS	1,194.02		2052
19282	10/01/15	TRI-STAT TRI-STATE TECHNICAL SERVICES	2,180.00		2052
19283	10/01/15	VE VERIZON WIRELESS	38.01		2052
19284	10/01/15	VER VERIZON	34.70		2052
19285	10/01/15	VERIZ VERIZON WIRELESS	178.08		2052
19286	10/01/15	VERIZONW VERIZON WIRELESS	20.02		2052
19287	10/01/15	VERZN VERIZON WIRELESS	280.11		2052
19288	10/01/15	VIC GERA VIC GERARD GOLF CARS	215.00		2052
19289	10/01/15	WARDS WARDS ICE CREAM	989.80		2052
19290	10/01/15	XEROX XEROX CORP	288.13		2052
19291	10/01/15	HEALTH HEALTH DEPT	265.00		2054
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October 1, 2015
01:10 PMUPPER SADDLE RIVER BOROUGH
Check Register By Check Date

Page No: 1

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2876	10/01/15	MOBILE MOBILE TECHTRONICS, INC	6,914.45		2051
2877	10/01/15	VAN G VAN GROUW WELDING, INC.	1,600.00		2051
2878	10/01/15	WINNE WINNER FORD	30,188.00		2051
2879	10/01/15	DEJANA DEJANA TRUCK & EQUIPMENT, INC	8,885.00		2053
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Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
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Report Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	5	0	48,284.57	0.00
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October 1, 2015
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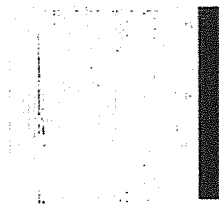
UPPER SADDLE RIVER BOROUGH
Check Register By Check Date

Page No: 1

Range of Checking Accts: WIRE TRANSFERS to WIRE TRANSFERS Range of Check Dates: 09/04/15 to 10/01/15
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
WIRE TRANSFERS WIRES					
100083	10/01/15	STNJ STATE OF NEW JERSEY	68,978.69		2050
Checking Account Totals					
			<u>Paid</u>	<u>Void</u>	
			Amount Paid	Amount Void	
Checks:			1	0	
Direct Deposit:			68,978.69	0.00	
			0	0	
Total:			0	0	
			68,978.69	0.00	
Report Totals					
			<u>Paid</u>	<u>Void</u>	
			Amount Paid	Amount Void	
Checks:			1	0	
Direct Deposit:			68,978.69	0.00	
			0	0	
Total:			0	0	
			68,978.69	0.00	

EXHIBIT J



Borough of Upper Saddle River, NJ
Friday, October 27, 2017

Chapter 122. Streets and Sidewalks

Article III. Borough Road Regulations

§ 122-17. Unlawful acts.

It shall be unlawful to:

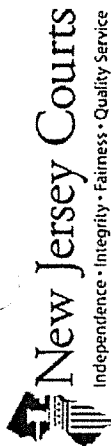
- A. Cast, throw or spill dirt, sand, ashes, gravel, brick, stones, wastepaper, lumber or other similar loose material on a Borough road.
- B. Mix dry or wet concrete, cement or plaster of any kind or description on the surface of a Borough road.
- C. Spill turpentine, kerosene, gasoline, petroleum, lubricating oil or other highly flammable oils or their volatile products, or allow such fluids to escape, on the surface of a Borough road; or operate a tank truck or other vehicle from which fluids are permitted to escape.
- D. Flush or cause to be drained or pumped to the surface of a Borough road wastewater or fluid of any kind.
- E. Place or cause to be placed on a Borough road a permanent or temporary obstruction of any kind.
- F. Burn leaves or any other material on a Borough road which may cause sufficient heat to affect asphalt pavement.^[1]

[1] *Editor's Note: Former Subsection G, regarding throwing snow or ice on plowed roads, which immediately followed this subsection, was repealed 4-10-1996 by Ord. No. 2-96. See now § 122-17.1, Snow and ice removal; prohibited acts.*

- G. Post or affix any sign, advertisement, notice, poster, paper, device, or other matter to any public utility pole, shade tree, lamp post, curbstone, sidewalk, or upon any public structure or building, except as may be authorized or required by law.

[Added 10-1-2015 by Ord. No 16-15]

EXHIBIT K



UPPER SADDLE RIVER MUN CT
376 W SADDLE RIVER, UPPER SADDLE RIVER, NJ 07458-1621 (201) 934-3972

Case: SC 2007 9040 Court: 0263 Type: Complaint Defendant: PRESIDENT REMDCO, LLC Status: Disposed

Defendant Information

Name: PRESIDENT REMDCO, LLC DOB: SSN: Gender:
Address: 86 PLEASANT AVE, UPPER SADDLE RIVER, NJ 07458
D/L: NA Height: Race:
Hair: Eyes: Maiden Name:
Weight: Age: Marital Status: Work Phone:
Occupation: POB: Employment Status: Finger Print Number:
FP Indicator: FBI: CBI:
PTI: SPN: SBI:
Scars, Marks, Description:

Court Information

Court Date: 11/27/2007 Court Time: 05:30 PM Court Room: 0001 Appearance Req: Y

Court History

Court Date	Type	Room	Reschedule Reason	Changed Date	Changed Time	User ID
11/27/2007 05:30 PM	First Appearance	0001		10/10/2007	12:03 PM	JUSXD5
10/09/2007 05:30 PM	First Appearance	0001	Other	10/10/2007	12:03 PM	JUSXD5
08/28/2007 05:30 PM	First Appearance	0001	Other	08/24/2007	10:08 AM	JUHX11
08/14/2007 05:30 PM	First Appearance	0001	Other	08/14/2007	03:47 PM	JUSXD5

Complaint Information

Complaint Number: SC 2007 9040 Issue Date: 07/20/2007 Arrest Date:
Court: 0263 - UPPER SADDLE RIVER MUN CT Agency & Officer ID: 0263 9999 Police Case No:
Mun. Of Offense: 0263 Co-Def Count: 0
Sealed Indicator: Domestic Violence Ind: N
Transferred To: Complainant: CIVILIAN COMPLAINT Police Unit:
Reason: Transferred From:

Status: Disposed

TPAY:

Warrant:

Bail:

Complaint Information Details

Number of Adjournments: 3

Last Adjournment: 10/10/2007

Reason: Other

Assigned Date: 07/19/2007

Assigned By: JUSXD5

Agency & Officer ID: 0263 9999

Charge Information

1) 150-21A(1) - ONE SIGN PERMITTED ON RESIDENTIAL PROPERTY

Charge Status: Disposed

Degree: Non-Indictable

Disposition Information

Plea: Not Guilty

Plea Date: 11/27/2007

Conditional Discharge Status:

Disposition Date: 11/27/2007

Finding: Dism - Other

License Surrendered: No

Modify Type: Data Correction

Disposition Comments: NOW IN COMPLIANCE

Narrative

WITHIN THE JURISDICTION OF THIS COURT, ERECT 2 4X8, 32 SQ SIGNS ON PROPERTY.
86 PLEASANT AVE USR

Additional Information

Events

Event Date/Time	Event Type/Field/Status	Description	User ID
11/28/2007 12:56 PM	COMMENTS	(C)	JUSXD5
11/28/2007 12:55 PM	Disposed		JUSXD5
10/11/2007 01:47 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUSXD5
08/25/2007 02:30 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUHXL1
08/15/2007 01:13 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUSXD5
07/20/2007 11:26 AM	Active		JUSXD5

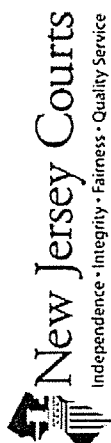
Involved Persons

Person/Officer	Type	Agency Name/Address	Phone Number	Work Phone	Attorney ID	Agency Name
ROBERT SCHORTAU	Complainant	CODE ENFORCEMENT USR, 376 W SADDLE RVR RD, UPPER SADDLE RIVER, NJ 07458				
HOLLANDER HONTZ, HINKES & PASCULL	Private	40 PARK PLACE, P.O.BOX 99, NEWTON, NJ 07860	(973) 383-3233		9733833233	

Attorney Info

Attorney ID	Name/Firm	Type	Phone	Address	Atty Attention
9733833233	HOLLANDER HONTZ, HINKES & PASCULL	Private	(973) 383-3233	40 PARK PLACE, P.O.BOX 99, NEWTON, NJ 07860	MARK J. HONTZ, ESQ

EXHIBIT L



UPPER SADDLE RIVER MUN CT

376 W SADDLE RIVER, UPPER SADDLE RIVER, NJ 07458-1621 (201) 934-3972

Case: SC 2010 9990 Court: 0263 Type: Complaint Defendant: OWNER SWINGSET & TOY Status: Disposed
WAREH

Defendant Information

Name: OWNER SWINGSET & TOY DOB: SSN: Gender:
WAREH
Address: 118 ROUTE 17 NORTH, UPPER SADDLE RIVER, NJ 07458
D/L: Phone:
Hair: Eyes: Height: Race:
Weight: Age: Marital Status: Maiden Name:
Occupation: POB: Employment Status: Work Phone:
FP Indicator: FBI: CBI: Finger Print Number:
PTI: SBI:
Scars, Marks, Description:

Court Information

Court Date: 05/25/2010 Court Time: 05:30 PM Court Room: 0001 Appearance Req: Y

Court History

Court Date	Type	Room	Reschedule Reason	Changed Date	Changed Time	User ID
05/25/2010 05:30 PM	First Appearance	0001		05/20/2010	11:32 AM	JUHX11
06/22/2010 05:30 PM	First Appearance	0001	Other	05/20/2010	11:32 AM	JUHX11

Complaint Information

Complaint Number: SC 2010 9990 Issue Date: 05/18/2010 Arrest Date:
Court: 0263 - UPPER SADDLE RIVER MUN CT Agency & Officer ID: 0263 9999 Police Case No:
Mun. Of Offense: 0263 Co-Def Count: 0 Domestic Violence Ind: N Police Unit:
Sealed Indicator:
Transferred To: Complainant: CIVILIAN COMPLAINT
Reason: Transferred From:
Status: Disposed Warrant: Bail:

Complaint Information Details

Number of Adjournments: 1
Assigned Date: 05/18/2010

Last Adjournment: 05/20/2010
Assigned By: JUSXD5

Reason: Other
Agency & Officer ID: 0263 9999

Charge Information

1) 150:20B - SUBJECT OF SIGN

Charge Status: Disposed Degree: Non-Indictable

Disposition Information

Plea: Guilty

Plea Date: 05/25/2010

Disposition Date: 05/25/2010

Finding: Guilty
Modify Type:

Conditional Discharge Status:

License Surrendered: No

Item	Assessed	Num	Miscellaneous Fees	Amount
Fine	\$500.00	1	Automation Fee	\$2.00
Cost	\$20.00	2	ATS Modernization Fund	\$3.00
Misc Total	\$5.00			\$5.00
Total	\$525.00		Miscellaneous Total	

Narrative

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY VIOLATED BOROUGH ORDINANCE ON
NUMEROUS OCCASIONS AFTER REPEATED NOTICE

Additional Information

Events

Event Date/Time	Event Type/Field/Status	Description	User ID
05/25/2010 08:28 PM	Disposed		JUHX11
05/21/2010 12:39 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUHX11
05/21/2010 12:39 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUHX11
05/18/2010 01:01 PM	Active		JUSXD5

Involved Persons

Person/Officer	Type	Agency Name/Address	Phone Number	Work Phone	Attorney ID	Agency Name
JOHN WALSH	Complainant	USR ZONING/PROPERTY MAINT, 376 WEST SADDLE RIVER RD, UPPER SADDLE RIVER, NJ 07458				

Payment

Date Entered	Transaction Type	Amount	Transaction Number	Transaction Date	Money Type	Receipt	Entered By
05/25/2010	Complaint	\$525.00	4	05/25/2010	Check	129	JUHX11

Transaction Date: 05/25/2010 Date Entered: 05/25/2010 Type: Complaint Amount: \$525.00

Fine: \$500.00 Cost: \$20.00 Check No: 2233

City: \$500.00 County: \$0.00 State: \$0.00

Last Changed 05/25/2010 User ID: JUHX11 Manual Receipt:

Comments:

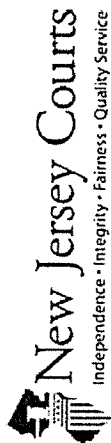
Miscellaneous Amounts

Num	Miscellaneous Fees	Amount
1	Automation Fee	\$2.00
2	ATS Modernization Fund	\$3.00
Miscellaneous Total		\$5.00

Associated Case List

Case Number	Related Type	Lead Complaint
SC 2010 10021	CP	No
SC 2010 10022	CP	No
SC 2010 10026	CP	No

EXHIBIT M



UPPER SADDLE RIVER MUN CT

376 W SADDLE RIVER, UPPER SADDLE RIVER, NJ 07458-1621 (201) 934-3972

Case: SC 2010 10021 Court: 0263 Type: Complaint

Defendant: OWNER SWINGSET & TOY
WAREH

Status: Disposed

Defendant Information

Name: OWNER SWINGSET & TOY
WAREH

DOB:

SSN:

Address: 118 ROUTE 17 NORTH, UPPER SADDLE RIVER, NJ 07458

D/L:

Phone:

Gender:

Hair:

Height:

Race:

Weight:

Marital Status:

Maiden Name:

Occupation:

Employment Status:

Work Phone:

FP Indicator:

CBI:

Finger Print Number:

PTI:

SBI:

Scars, Marks, Description:

Court Information

Court Date: 05/25/2010

Court Time: 05:30 PM

Court Room: 0001

Appearance Req: Y

Court History

Court Date	Type	Room	Rescheduled Reason	Changed Date	Changed Time	User ID
05/25/2010 05:30 PM	First Appearance	0001		05/20/2010	11:32 AM	JUHX11
06/22/2010 05:30 PM	First Appearance	0001	Other	05/20/2010	11:32 AM	JUHX11

Complaint Information

Complaint Number: SC 2010 10021 Issue Date: 05/18/2010

Court: 0263 - UPPER SADDLE RIVER MUN CT

Offense Date: 05/11/2010

Arrest Date:

Mun. Of Offense: 0263

Co-Def Count: 0

Agency & Officer ID: 0263 9999

Police Case No:

Sealed Indicator:

Complainant: CIVILIAN COMPLAINT

Police Unit:

Transferred From:

Reason:

Status: Disposed

TPAY:

Warrant:

Bail:

.dalessandro

Page 1 of 4

08/17/2017

Complaint Information Details

Number of Adjudgments: 1
Assigned Date: 05/18/2010

Last Adjudgment: 05/20/2010
Assigned By: JUSXD5

Reason: Other
Agency & Officer ID: 0263 9999

Charge Information

1) 150:20E - NO CLOTH OR FABRIC SIGNS PERMITTED OUTDOORS

Charge Status: Disposed Degree: Non-Indictable

Disposition Information

Plea: Guilty

Plea Date: 05/25/2010

Disposition Date: 05/25/2010

Finding: Guilty
Modify Type:

Conditional Discharge Status:

License Surrendered: No

Item	Assessed	Num	Miscellaneous Fees	Amount
Fine		1	Automation Fee	\$2.00
Cost		2	ATS Modernization Fund	\$3.00
Misc Total			Miscellaneous Total	\$5.00
Total				

Narrative

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY VIOLATED BOROUGH ORDINANCE ON
NUMEROUS OCCASIONS AFTER REPEATED NOTICE

Additional Information

Events

Event Date/Time	Event Type/Field/Status	Description	User ID
05/25/2010 08:28 PM	Disposed		JUHX11
05/21/2010 12:39 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUHX11
05/21/2010 12:39 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUHX11
05/18/2010 12:54 PM	Active		JUSXD5

Involved Persons

Person/Officer	Type	Agency Name/Address	Phone Number	Work Phone	Attorney ID	Agency Name
JOHN WALSH	Complainant	USR ZONING/PROPERTY MAINT, 376 WEST SADDLE RIVER RD, UPPER SADDLE RIVER, NJ 07458				

Payment

Date Entered	Transaction Type	Amount	Transaction Number	Transaction Date	Money Type	Receipt	Entered By
05/25/2010	Complaint	\$525.00	3	05/25/2010	Check	128	JUHX11

Transaction Date: 05/25/2010 Date Entered: 05/25/2010 Type: Complaint Amount: \$525.00
 Fine: \$500.00 Cost: \$20.00 Check No: 2233
 City: \$500.00 County: \$0.00 State: \$0.00
 Last Changed 05/25/2010 User ID: JUHX11
 Comments: Manual Receipt:

Miscellaneous Amounts

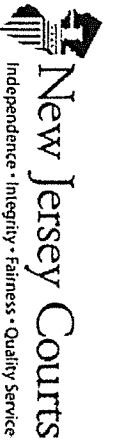
Num	Miscellaneous Fees	Amount
1	Automation Fee	\$2.00
2	ATS Modernization Fund	\$3.00
Miscellaneous Total		\$5.00

Associated Case List

Case Number	Related Type	Lead Complaint
SC 2010 9990		Yes
SC 2010 10022	CP	No
SC 2010 10026	CP	No

11/2/17

EXHIBIT N



UPPER SADDLE RIVER MUN CT
376 W SADDLE RIVER, UPPER SADDLE RIVER, NJ 07458-1621 (201) 934-3972

Case: SC 2010 10022 Court: 0263 Type: Complaint

Defendant: OWNER SWINGSET & TOY
WAREH Status: Disposed

Defendant Information

Name: OWNER SWINGSET & TOY
WAREH DOB:

SSN:

Address: 118 ROUTE 17 NORTH, UPPER SADDLE RIVER, NJ 07458

Phone:

Gender:

D/L:

Hair:

Eyes:

Height:

Race:

Weight:

Age:

Marital Status:

Maiden Name:

Occupation:

POB:

Employment Status:

Work Phone:

FP Indicator:

FBI:

CBI:

Finger Print Number:

PTI:

SPN:

SBI:

Scars, Marks, Description:

Court Information

Court Date: 05/25/2010

Court Time: 05:30 PM

Court Room: 0001

Appearance Reg: Y

Court History

Court Date	Type	Room	Reschedule Reason	Changed Date	Changed Time	User ID
05/25/2010 05:30 PM	First Appearance	0001		05/20/2010	11:32 AM	JUHX11
06/22/2010 05:30 PM	First Appearance	0001	Other	05/20/2010	11:32 AM	JUHX11

Complaint Information

Complaint Number: SC 2010 10022 Issue Date: 05/18/2010

Offense Date: 05/11/2010

Arrest Date:

Court: 0263 - UPPER SADDLE RIVER MUN CT

Agency & Officer ID: 0263 9999

Police Case No:

Mun. Of Offense: 0263

Co-Def Count: 0

Sealed Indicator:

Domestic Violence Ind: N

Police Unit:

Transferred To:

Complainant: CIVILIAN COMPLAINT

Transferred From:

Reason:

Status: Disposed

TPAY:

Warrant:

Bail:

Complaint Information Details

Number of Adjudgments: 1
Assigned Date: 05/18/2010
Last Adjudgment: 05/20/2010
Assigned By: JUSXD5
Reason: Other
Agency & Officer ID: 0263 9999

Charge Information

1) 150:20G - MOBILE SIGNS PROHIBITED

Charge Status: Disposed Degree: Non-Indictable

Disposition Information

Plea: Guilty Plea Date: 05/25/2010
Conditional Discharge Status: Disposition Date: 05/25/2010
License Surrendered: No Finding: Guilty
Modify Type:

Item	Assessed	Num	Miscellaneous Fees	Amount
Fine	\$500.00	1	Automation Fee	\$2.00
Cost	\$20.00	2	ATS Modernization Fund	\$3.00
Misc Total	\$5.00	Miscellaneous Total		\$5.00
Total	\$525.00			

Narrative

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY VIOLATED BOROUGH ORDINANCE ON
NUMEROUS OCCASIONS AFTER REPEATED NOTICE

Additional Information

Events

Event Date/Time	Event Type/Field Status	Description	User ID
05/25/2010 08:29 PM	Disposed		JUHX11
05/21/2010 12:39 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUHX11
05/21/2010 12:39 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUHX11
05/18/2010 12:59 PM	Active		JUSXD5

Involved Persons

Person/Officer	Type	Agency/Name/Address	Phone Number	Work Phone	Attorney ID	Agency Name
JOHN WALSH	Complainant	USR ZONING/PROPERTY MAINT, 376 WEST SADDLE RIVER RD, UPPER SADDLE RIVER, NJ 07458				

Payment

Date Entered	Transaction Type	Amount	Transaction Number	Transaction Date	Money Type	Receipt	Entered By
05/25/2010	Complaint	\$525.00	2	05/25/2010	Check	127	JUHX11

Transaction Date: 05/25/2010 Date Entered: 05/25/2010 Type: Complaint Amount: \$525.00

Fine: \$500.00 Cost: \$20.00 Check No: 2233

City: \$500.00 County: \$0.00 State: \$0.00

Last Changed 05/25/2010 User ID: JUHX11 Manual Receipt:

Comments:

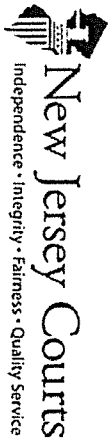
Miscellaneous Amounts

Num	Miscellaneous Fees	Amount
1	Automation Fee	\$2.00
2	ATS Modernization Fund	\$3.00
Miscellaneous Total		\$5.00

Associated Case List

Case Number	Related Type	Lead Complaint
SC 2010 9990		Yes
SC 2010 10021	CP	No
SC 2010 10026	CP	No

EXHIBIT O



UPPER SADDLE RIVER MUN CT
376 W SADDLE RIVER, UPPER SADDLE RIVER, NJ 07458-1621 (201) 934-3972

Case: SC 2010 10026 Court: 0263 Type: Complaint

Defendant: OWNER SWINGSET & TOY
WAREH Status: Disposed

Defendant Information

Name: OWNER SWINGSET & TOY
WAREH DOB:

SSN:

Address: 118 ROUTE 17 NORTH, UPPER SADDLE RIVER, NJ 07458

Phone:

Gender:

D/L:

Hair:

Eyes:

Height:

Race:

Weight:

Age:

Marital Status:

Maiden Name:

Occupation:

POB:

Employment Status:

Work Phone:

FP Indicator:

FBI:

CBI:

Finger Print Number:

PTI:

SPN:

SBI:

Scars, Marks, Description:

Court Information

Court Date: 05/25/2010

Court Time: 05:30 PM

Court Room: 0001

Appearance Req: Y

Court History

Court Date	Type	Room	Reschedule Reason	Changed Date	Changed Time	User ID
05/25/2010 05:30 PM	First Appearance	0001		05/20/2010	11:32 AM	JUHXL1
06/22/2010 05:30 PM	First Appearance	0001	Other	05/20/2010	11:32 AM	JUHXL1

Complaint Information

Complaint Number: SC 2010 10026

Issue Date: 05/18/2010

Court: 0263 - UPPER SADDLE RIVER MUN CT

Offense Date: 05/11/2010 09:00 AM

Arrest Date:

Mun. Of Offense: 0263

Co-Def Count: 0

Agency & Officer ID: 0263 9999

Police Case No:

Sealed Indicator:

Domestic Violence Ind: N

Complainant: CIVILIAN COMPLAINT

Police Unit:

Transferred To:

Transferred From:

Reason:

TPAY:

Warrant:

Bail:

Status: Disposed

Complaint Information Details

Number of Adjourments: 1
Assigned Date: 05/18/2010

Last Adjourment: 05/20/2010
Assigned By: JUSXD5

Reason: Other
Agency & Officer ID: 0263 9999

Charge Information

1) 150:20C - MOTION OF SIGN PROHIBITED

Charge Status: Disposed

Degree: Non-Indictable

Disposition Information

Plea: Guilty

Plea Date: 05/25/2010

Conditional Discharge Status:

Disposition Date: 05/25/2010

License Surrendered: No

Finding: Guilty
Modify Type:

Item	Assessed
Fine	\$500.00
Cost	\$20.00
Misc Total	\$5.00
Total	\$525.00

Num	Miscellaneous Fees	Amount
1	Automation Fee	\$2.00
2	ATS Modernization Fund	\$3.00
Miscellaneous Total		\$5.00

Narrative

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY VIOLATED BOROUGH ORDINANCE ON
NUMEROUS OCCASIONS AFTER REPEATED NOTICE

Additional Information

Events

Event Date/Time	Event Type/Field/Status	Description	User ID
05/25/2010 08:27 PM	Disposed		JUH11
05/21/2010 12:39 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUH11
05/21/2010 12:39 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUH11
05/18/2010 01:00 PM	Active		JUSXD5

Involved Persons

Person/Officer	Type	Agency/Name/Address	Phone Number	Work Phone	Attorney ID	Agency/Name
JOHN WALSH	Complainant	USR ZONING/PROPERTY MAINT, 376 WEST SADDLE RIVER RD, UPPER SADDLE RIVER, NJ 07458				

Payment

Date Entered	Transaction Type	Amount	Transaction Number	Transaction Date	Money Type	Receipt	Entered By
05/25/2010	Complaint	\$525.00	5	05/25/2010	Check	130	JUH11

Transaction Date: 05/25/2010 Date Entered: 05/25/2010 Type: Complaint Amount: \$525.00

Fine: \$500.00 Cost: \$20.00 Check No: 2233

City: \$500.00 County: \$0.00 State: \$0.00

Last Changed 05/25/2010 User ID: JUHX11 Manual Receipt:

Comments:

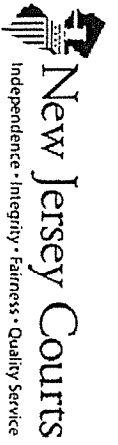
Miscellaneous Amounts

Num	Miscellaneous Fees	Amount
1	Automation Fee	\$2.00
2	ATS Modernization Fund	\$3.00
Miscellaneous Total		\$5.00

Associated Case List

Case Number	Related Type	Lead Complaint?
SC 2010 9990		Yes
SC 2010 10021	CP	No
SC 2010 10022	CP	No

EXHIBIT P



UPPER SADDLE RIVER MUN CT
376 W SADDLE RIVER, UPPER SADDLE RIVER, NJ 07458-1621 (201) 934-3972

Case: SC 2011 10339 Court: 0263 Type: Complaint Defendant: EDYTA FROMKIN Status: Disposed

Defendant Information

Name: EDYTA FROMKIN DOB: SSN:
Address: 38 CHERRY LANE, UPPER SADDLE RIVER, NJ 07458 Phone: Gender:
D/L: Height: Race:
Hair: Eyes: Maiden Name:
Weight: Age: Work Phone:
Occupation: POB: FBI: Finger Print Number:
FP Indicator: FBI: SBI:
PTI: SPN:
Scars, Marks, Description:

Court Information

Court Date: 09/27/2011 Court Time: 05:00 PM Court Room: 0001 Appearance Req: Y

Court History

Colt Date	Time	Room	Reschedule Reason	Original Date	Original Time	User ID
09/27/2011 05:00 PM	First Appearance	0001		09/21/2011	03:29 PM	JUSXD5
09/27/2011 05:00 PM	First Appearance	0001	Other	09/21/2011	03:29 PM	JUSXD5
09/27/2011 05:00 PM	First Appearance	0001	Other	09/13/2011	02:17 PM	JUSXD5
09/13/2011 05:00 PM	First Appearance	0001	Other	09/13/2011	01:43 PM	JUHX11
08/23/2011 05:00 PM	First Appearance	0001	Other	08/05/2011	10:21 AM	JUHX11
08/01/2011 05:30 PM	First Appearance	0001	Other	08/04/2011	01:47 PM	JUHX11
07/26/2011 05:00 PM	First Appearance	0001	Other	08/01/2011	01:37 PM	JUHX11
06/28/2011 05:00 PM	First Appearance	0001	Other	06/28/2011	01:20 PM	JUHX11
05/03/2011 05:00 PM	First Appearance	0001	Other	05/03/2011	05:47 PM	JUHX11
05/03/2011 05:00 PM	First Appearance	0001	Other	03/17/2011	08:56 AM	JUHX11

Complaint Information

Complaint Number: SC 2011 10339 Issue Date: 03/16/2011 Offense Date: 03/16/2011 01:00 PM Arrest Date:

Court: 0263 - UPPER SADDLE RIVER MUN CT

Agency & Officer ID: 0263 9999

Police Case No:

Mun. Of Offense: 0263

Co-Def Count: 26

Sealed Indicator:

Domestic Violence Ind: N

Complainant: CIVILIAN COMPLAINT

Police Unit:

Transferred To:

Transferred From:

Reason:

Status: Disposed

TPAY:

Warrant:

Bail:

Complaint Information Details

Number of Adjudgments: 9

Last Adjudgment: 09/21/2011

Reason: Other

Assigned Date: 03/16/2011

Assigned By: JUSXD5

Agency & Officer ID: 0263 9999

Charge Information

1) 150-37 - SIGN PERMITS

Charge Status: Disposed

Degree: Non-Indictable

Disposition Information

Plea: Not Guilty

Plea Date: 09/27/2011

Disposition Date: 09/27/2011

Finding: Dism - Other

Conditional Discharge Status:

License Surrendered: No

Modify Type:

Narrative

WITHIN THE JURISDICTION OF THIS COURT,
NO APPARENT SIGN ON PROPERTY

Additional Information

Events

Event Date/Time	Event Type/Field/Status	Description	User/ID
09/27/2011 06:00 PM	Disposed		JUH11
09/22/2011 12:37 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUSXD5
09/22/2011 12:37 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUSXD5
09/14/2011 12:38 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUSXD5
09/14/2011 12:38 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUH11
09/14/2011 12:38 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUSXD5
09/14/2011 12:38 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUH11
08/06/2011 12:33 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUH11
08/06/2011 12:33 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUH11
08/05/2011 12:37 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUH11
08/05/2011 12:37 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUH11
08/02/2011 12:38 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUH11
08/02/2011 12:38 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUH11
06/29/2011 09:18 AM	INVP TYP,IMP DEL	COMP -	JUH11
06/29/2011 09:18 AM	INVP CTY,ST DEL	UPPER SADDLE RIVER, NJ 074580000	JUH11
06/29/2011 09:18 AM	INVP ADDR2 DEL	376 W.SADDLE RIVER ROAD	JUH11
06/29/2011 09:18 AM	INVP ADDR1 DEL	DIRECTOR CODE ENFORCEMENT USR	JUH11
06/29/2011 09:18 AM	INVP NAME DEL	JAMES DOUGHERTY	JUH11
06/29/2011 12:35 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUH11
06/29/2011 12:35 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUH11
05/04/2011 12:40 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUH11
05/04/2011 12:40 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUH11
03/18/2011 12:36 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUH11
03/18/2011 12:36 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUH11
03/17/2011 09:06 AM	OFFENS MOD1 1	FROM: 150-36 DEGREE: N	JUSXD5
03/17/2011 09:06 AM	OFF PAYABLE INDI	N	JUSXD5
03/17/2011 09:06 AM	INVL OFFNS DESC	NO SIGNS ALLOWED	JUSXD5
03/17/2011 09:06 AM	OFF PAYABLE INDI	N	JUSXD5
03/17/2011 09:06 AM	DEGREE OF OFFENS		JUSXD5
03/17/2011 09:06 AM	OFFNS MOD1 1	FROM: 150-37 DEGREE:	JUSXD5
03/16/2011 03:36 PM	Active		JUH11

Involved Persons

Person/Officer	Type	Agency/Name/Address	Phone Number	Work Phone	Attorney ID	Agency/Name
JAMES DOUGHERTY	Complainant	DIRECTOR CODE ENFORCEMENT USR, 376 WEST SADDLE RIVER ROAD, UPPER SADDLE RIVER, NJ 07458				
MCDONNELL & WHITAKER ESQS.	Private	245 EAST MAIN ST, PO BOX 379, RAMSEY, NJ 07446	(201) 934-0110		2019340110	

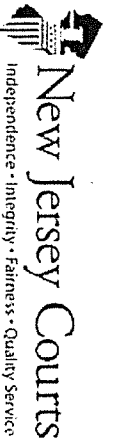
Attorney Info

Attorney ID	Name/Firm	Type	Phone	Address
2019340110	MCDONNELL & WHITAKER ESQS.	Private	(201) 934-0110	245 EAST MAIN ST, PO BOX 379, RAMSEY, NJ 07446

Associated Case List

Case Number	Related Type	Lead Complaint
SC 2011 10481		Yes
SC 2010 10081	CP	No
SC 2010 10082	CP	No
SC 2011 10263	CP	No
SC 2011 10264	CP	No
SC 2011 10338	CP	No
SC 2011 10340	CP	No
SC 2011 10482	CP	No
SC 2011 10483	CP	No
SC 2011 10484	CP	No
SC 2011 10485	CP	No
SC 2011 10486	CP	No
SC 2011 10501	CP	No
SC 2011 10502	CP	No
SC 2011 10503	CP	No
SC 2011 10576	CP	No
SC 2011 10577	CP	No

EXHIBIT Q



UPPER SADDLE RIVER MUN CT
376 W SADDLE RIVER, UPPER SADDLE RIVER, NJ 07458-1621 (201) 934-3972

Case: SC 2013 11496 Court: 0263 Type: Complaint Defendant: OWNER BUDGET BLINDS Status: Disposed

Defendant Information

Name: OWNER BUDGET BLINDS DOB: SSN:
Address: 574 W. SADDLE RIVER RD., UPPER SADDLE RIVER, NJ 07458 Phone:
D/L: Gender:
Hair: Eyes: Height: Race:
Weight: Age: Marital Status: Maiden Name:
Occupation: POB: Employment Status: Work Phone:
FP Indicator: FBI: CBI: Finger Print Number:
PTI: SPN: SBI:
Scars, Marks, Description:

Court Information

Court Date: 01/09/2014 Court Time: 10:00 AM Court Room: 0001 Appearance Req: Y

Court History

Court Date	15/03	Room	Reschedule Reason	Changed Date	Changed Time	User ID
01/09/2014 10:00 AM	First Appearance	0001		12/04/2013	11:52 AM	MULACE0
12/03/2013 05:00 PM	First Appearance	0001	Other	12/04/2013	11:52 AM	MULACE0
12/03/2013 05:00 PM	First Appearance	0001	Other	11/22/2013	11:39 AM	MULACE0

Complaint Information

Complaint Number: SC 2013 11496 Issue Date: 11/19/2013
Court: 0263 - UPPER SADDLE RIVER MUN CT Offense Date: 11/18/2013 11:00 AM Arrest Date:
Mun. Of Offense: 0263 Co-Def Count: 0 Agency & Officer ID: 0263 9992 Police Case No:
Sealed Indicator: Domestic Violence Ind: N Complainant: ZONE OFF J WALSH Police Unit:
Transferred To: Transferred From:
Reason: TPAY: Warrant: Bail:
Status: Disposed

Complaint Information Details

Number of Adjourments: 2
Assigned Date: 11/12/2013

Last Adjourment: 12/04/2013
Assigned By: JUSXD5

Reason: Other
Agency & Officer ID: 0263 9992

Charge Information

1) 150:20G - MOBILE SIGNS PROHIBITED

Charge Status: Disposed Degree: Non-Indictable

Disposition Information

Plea: No Plea

Plea Date: 01/09/2014

Conditional Discharge Status:

Disposition Date: 01/09/2014
License Surrendered: No

Finding: Dism - Other
Modify Type:

Narrative

WITHIN THE JURISDICTION OF THIS COURT, VIOLATED BOROUGH SIGN ORDINANCE

Additional Information**Events**

Event Date/Time	Event Description/Status	Description	OS/ID
01/09/2014 11:43 AM	Disposed		JUSXD5
12/05/2013 12:27 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	MULACE0
12/05/2013 12:27 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	MULACE0
11/23/2013 12:26 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	MULACE0
11/23/2013 12:26 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	MULACE0
11/22/2013 10:40 AM	Active		MULACE0

Involved Persons

Person/Officer	Type	Agency/Name/Address	Phone Number	Work Phone	Attorney ID	Agency Name
ZONE OFF J WALSH	Officer	368 WSADDLE RIVER RD, ATTN WARRANTS, UPPR SADDLE RIV, NJ 07458				
JOHN WALSH	Complainant	USR ZONING/PROPERTY MAINTENANCE, 376 W. SADDLE RIVER RD., UPPR SADDLE RIVER, NJ 07458				

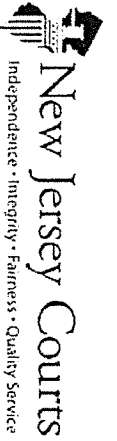
Aliases

Alias Name	DOB	SSN
C/O GARCIA		

Associated Case List

Case Number	Related Type	Lead Complainant
SC 2013 11491		Yes
SC 2013 11492	CP	No
SC 2013 11493	CP	No
SC 2013 11494	CP	No
SC 2013 11495	CP	No

EXHIBIT R



UPPER SADDLE RIVER MUN CT
376 W SADDLE RIVER, UPPER SADDLE RIVER, NJ 07458-1621 (201) 934-3972

Case: SC 2014 11738 Court: 0263 Type: Complaint

Defendant: PRESIDENT PROFESS
BASEBALL INS

Status: Disposed

Defendant Information

Name: PRESIDENT PROFESS BASEBALL
INS DOB:

SSN:

Address: 107 PLEASANT AVENUE, UPPER SADDLE RIVER, NJ 07458

Phone:

Gender:

D/L:

Hair:

Eyes:

Height:

Race:

Weight:

Age:

Marital Status:

Maiden Name:

Occupation:

POB:

Employment Status:

Work Phone:

FP Indicator:

FBI:

CBI:

Finger Print Number:

PTI:

SPN:

SBI:

Scars, Marks, Description:

Court Information

Court Date: 12/09/2014

Court Time: 06:00 PM

Court Room: 0001

Appearance Req: Y

Court History

Date	Type	Room	Reschedule Reason	Original Date	Original Time	Disc ID
12/09/2014 06:00 PM	First Appearance	0001		11/20/2014	10:58 AM	MULACE0
10/28/2014 05:00 PM	First Appearance	0001	Other	11/20/2014	10:58 AM	MULACE0
10/28/2014 05:00 PM	First Appearance	0001	Other	10/07/2014	11:54 AM	JUSXD5

Complaint Information

Complaint Number: SC 2014 11738

Issue Date: 10/07/2014

Offense Date: 10/02/2014 09:00 AM

Arrest Date:

Court: 0263 - UPPER SADDLE RIVER MUN CT

Agency & Officer ID: 0263 9992

Police Case No:

Mun. Of Offense: 0263

Co-Def Count: 0

Sealed Indicator:

Domestic Violence Ind: N

Complainant: ZONE OFF J WALSH

Police Unit:

Transferred To:

Transferred From:

Reason:

Status: Disposed

TPAY:

Warrant:

Bail:

Complaint Information Details

Number of Adjourments: 2

Last Adjourment: 11/20/2014

Reason: Other

Assigned Date: 10/07/2014

Assigned By: JUSXD5

Agency & Officer ID: 0263 9992

Charge Information

1) 150-21B - SIGNS PERMITTED-COMMERCIAL DISTRICTS

Charge Status: Disposed

Degree: Non-Indictable

Disposition Information

Plea: No Plea

Plea Date: 10/28/2014

Disposition Date: 10/28/2014

Finding: Dism - Other

Conditional Discharge Status:

License Surrendered: No

Modify Type:

Narrative

WITHIN THE JURISDICTION OF THIS COURT, ERECTED A FREESTANDING SIGN IN VIOLATION OF ZONING REQUIREMENTS.
107 PLEASANT AVENUE USR

Additional Information

Events

Event Date/Time	Event Description/Status	Description	Event ID
11/21/2014 12:29 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	MULACE0
11/21/2014 12:29 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	MULACE0
10/29/2014 12:09 PM	Disposed		MULACE0
10/16/2014 10:36 AM	OFFENS MODIFY 1	FROM: 150-37 DEGREE: N TO: 150-21B DEGREE: N	JUSXD5
10/16/2014 10:36 AM			JUSXD5
10/08/2014 12:28 AM	NOTICES	WAS RELATED FOR COMPLAINT NOTICES	JUSXD5
10/08/2014 12:28 AM	NOTICES	CHANGE DATE NOTICE SENT TO INV. PERS	JUSXD5
10/07/2014 11:51 AM	Active		JUSXD5
10/07/2014 11:51 AM	PEGA	MACS APP CDR	JUSXD5

Involved Persons

Person/Officer	Involved	Agency/Name/Address	Phone Number	Work Phone	Attorney ID	Agency/Name
ZONE OFF J WALSH	Officer	368 WSADDLE RIVER RD, ATTN WARRANTS, UPPR SADDLE RIV, NJ 07458				
JOHN WALSH	Complainant	ZONING OFFICER BORO USR, 376 W SADDLE RIVER ROAD, UPPR SADDLE RIVER, NJ 07458				

Associated Case List

Case Number	Related Case	Lead Complaint
SC 2014 11737		Yes