

**The minutes of the regular Public Meeting of the Township Council of the Township of Saddle Brook held on October 1, 2015 at 7:00 PM at the Municipal Building, 93 Market Street, Saddle Brook, NJ.**

Council President Mazzer called the meeting to order.

Township Clerk called the roll:

Councilman Cimiluca – present  
Councilman Camilleri – present  
Councilwoman D’Arminio – present  
Councilman Accomando – absent  
Council President Mazzer – present

Mayor White – present  
Mr. Suarez, Twp. Attorney – present  
Mr. Tom Lemanowicz – Twp. Engineer – present

Council President Mazzer asked everyone to please rise for the salute to the flag and to observe a moment of silence to ask for God’s blessing for the children in light of recent shootings.

Council President Mazzer announced that adequate notice of this meeting has been sent to all Council members by police messenger on September 25, 2015 and to all legal newspapers in accordance with the provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975.

The Township Clerk announced that the public is hereby advised that any statements made during the meeting of the Township Council of the Township of Saddle Brook may not be privileged or protected and that persons or entities who take issue with such comments or are offended by same, may, and have in the past, sought legal redress through the courts.

Any member of the public who addresses the Council speaks for themselves and not for the Council.

Council President Mazzer read the Council Resolution [CR# 1015-255] recognizing October as Italian Heritage and Culture Month and thanked the members of UNICO for all they do for the community.

Ms. Marilyn Nasello of UNICO, thanked the Mayor and Council for supporting them in their endeavors and hoped for good weather for the Street Fair to be held on October 4<sup>th</sup>.

Mayor White thanked Council President Mazzer for her resolution and read his Proclamation also recognizing October as Italian Heritage and Culture Month [Corres. # 7] and said he would be presenting the proclamation on October 10<sup>th</sup> at UNICO Park. He also mentioned that October is Breast Cancer Awareness Month. He acknowledged those who are involved in the fight against breast cancer and read a proclamation recognizing October as Breast Cancer Awareness Month as well [Corres. #8].

Council President Mazzer asked for a motion to open the meeting to the public.

Motion: Councilwoman D’Arminio                      Second: Councilman Camilleri

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D’Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer – yes

Mr. Marilyn Nasello of 152 Claremont Avenue thanked the Mayor and Council again for their recognition and said she looked forward to the Mayor joining them for their Columbus Day Ceremony on October 10<sup>th</sup> by the gazebo. She noted the

Street Fair is a rain or shine event, and she thanked all the sponsors of the event for their contributions.

Mr. Larry Ratajczak of 92 Claremont Avenue said on Tuesday night you had a list of roads that we're going to pave, and I believe Cambridge Avenue was one of the roads and Rugby to Saddle River Road. Is there any reason why you're not doing the lower end? I know you did a water project there, and there's about another 75 yards in that block.

Mr. Lo Dico said we were talking about the DOT grant applications, and if you're near a school or certain locations you get points when applying for the DOT grant. The suggestion had come up about doing Cambridge Avenue, but in speaking to the engineer, I believe his suggestion is going to be to do Caldwell Avenue because it intersects with Market Street, Franklin School is there, and it probably would be looked at more favorably by the DOT as a valid application. But this is for the DOT application.

Mr. Ratajczak said so Cambridge is not on the list.

Mr. Lo Dico said the recommendation is going to be to go with Caldwell.

Mr. Ratajczak asked if Mr. Lo Dico had that list of the streets that need to be done.

Mr. Lemanowicz said we had a list when we first started, and those plans are almost done. It was 9<sup>th</sup>, 3<sup>rd</sup> and Wilson. We're also going to do Jefferson, and in the Jefferson job there was an alternate for 4<sup>th</sup>, depending on how the bids came in. Jefferson and 4<sup>th</sup> were because of the water issue there. PSE&G just tore up Jefferson, so we're getting funds from them to do that paving. The others were just based on roads in terms of the condition of them and the condition of the water main.

Mr. Ratajczak asked, did we hear anything yet on the senior housing money for Caldwell Avenue?

Councilwoman D'Arminio said she spoke with Mr. Biale the other day and the financing should be in place in two weeks, by the second week of October. Everything was submitted, and he's looking for it to be finalized the second week, and he would let her know as soon as it's done.

Mr. Ratajczak said okay, then by November we should know which way we're ...

Councilwoman D'Arminio said by the November meeting, yes.

Mr. Ratajczak addressed Councilman Cimiluca through the chair. He said, last month you read your letter, and you described certain things that happened with the health benefits and stuff. I don't believe that you had all the facts correct when you stated your facts. The petition was put in place to let the public decide on whether the town pays for the benefits or not. We weren't taking the benefits or trying to take the benefits away. There was a petition to put it on the ballot, and then you took an ordinance, which I still have yet to see, and amended it. If you can produce the ordinance, then you have something to amend, but I don't really know what you amended because you're hung up on this nepotism thing which you said you were mad because it wasn't voted on. Mr. Camilleri told you it was voted on two times, and it was turned down two times. You didn't even mention that. After you amended that ordinance and squashed the petition, you didn't mention that. But like I said, I believe the people in this town realize what's right and what's wrong from our past elections. You don't see them three people sitting up there. So what you did is you tailor made for your needs, like I told you last month and like I say, people don't forget. They don't forget.

Mr. Ratajczak continued, like I said the same thing with the nepotism, the Mayor said he would have an executive order, and you're trying to challenge him with the Council saying that you're – can we overturn him, what is his punishment if he violates it? I guess – the form of government – he's the mayor. He's the top dog, and if he has an executive order, it stays. Like he said, he would make a fool out of

himself if he went against it. When he ran for election he said he would be up front and be honest, and so far I believe he's come through with all of his things.

Mr. Ratajczak said the other thing was the tax appeals. You told us that you left the town in good financial status. Were you aware of that tax appeal and any other tax appeals when you voted on your zero percent budget, through the chair?

Councilman Cimiluca asked was I aware of what?

Mr. Ratajczak said the tax appeals that were sitting, the \$750,000 one that we have, and I believe there's two larger ones.

Councilman Cimiluca said the he believed the tax appeal issue was discussed at the end of the year, and he believed it was felt by everybody whether or not to settle or fight it would be something that was left and should be left to the incoming council because it would not be fair to saddle them with a decision made by basically lame ducks. He said he believed that was spoken about after the actual election and it was in fairness to the new incoming council to have them make the decision as to whether or not to continue to fight. This was a settlement and the settlement was agreed upon by this current makeup of Council and his recollection was that it was decided to allow the new council to decide where to go with that appeal, but I don't think there was an actual settlement offer on the table at that time.

Mr. Ratajczak said I just wish you people would have thought the same way when you decided to rush into Veterans' Field and you dropped that in the lap of the incoming council people and the mayor. That wasn't an issue, and that wasn't a problem. Things only become issues when they work out. Also on the nepotism, when a former councilman's son was hired, how did you feel about nepotism then?

Councilman Cimiluca asked Mr. Suarez if he could say the employee's name.

Mr. Suarez told Councilman Cimiluca that he could discuss his opinion with regard to nepotism at that time but not to discuss the particular employee in any way that the discussion would adversely impact his employment otherwise he needs a Rice Notice.

Councilman Cimiluca said with that particular employee who was being paid much less than his value –

Mr. Ratajczak interrupted and said, in hiring him. I'm just saying –

Councilman Cimiluca said am I allowed to talk?

Mr. Ratajczak said you can, but you're jumping the gun. I didn't say anything about his salary yet. I want to know how you felt about it when his name came up to be hired.

Councilman Cimiluca said I thought he was qualified, and I thought he was an appropriate pick. After that, and after you came up for four years and made it an issue, I, at that point, realized that doing that may have been something that would put him, not so much the town, because I think he's done a hell of a job, but to have someone's qualifications, to have someone questioned and have his parents questioned and have council members questioned as to their integrity because someone was hired, I believe it became an issue, and I think the only way to stop that from happening, I think you were the one who came up here for four years and were complaining about it. So in order to do that, I said let's not put another person here on the council or as a department head or division head in that position. Let's not put an employee in that position where they are being spoken about at public meetings which are being broadcast to forty towns or thereabouts. So let's do it. And I saw you dancing in all these photographs and videos with the Democrats. That was their platform, so I said you know what, I'm going to go along with that, and we're going to pursue that and that's why I am pursuing, the nepotism ordinance, after the fall out from that hire and seeing what it's done to a sitting council member and to a town employee. I don't think it was fair to either of them,

and so this way no one else can be in that position. I do think what was proposed and what the mayor – you were here on Tuesday and obviously you misconstrued what I was talking about. I just needed to know the legal ramifications, what the Council could do. I'm in favor of what the mayor did, the executive order. I think basically that executive order is word for word the ordinance that I proposed. He said he would speak later on as to why I don't think the executive order for that nepotism order is – I don't want to say appropriate, but I don't think it's enough. I think it should be in ordinance form, and I will give my explanation for that later.

Mr. Ratajczak said in other words you changed your mind after it was brought to your attention. Maybe you'll feel the same way about your benefits because we've been up here for eight years now. That was only four years that we were on that subject. Maybe it will hit home.

Councilman Cimiluca said, in your opinion I don't deserve benefits. When I was elected, benefits were offered. I never said I wasn't taking them. I do take them, and I never said anything to the contrary.

Mr. Ratajczak interrupted and said we don't know what happened to the ordinance.

Councilman Cimiluca said we do have it.

Mr. Ratajczak said no, we don't. Prior to the one you amended, we do not. We never said...Pete, did you ever find it?

Mr. Lo Dico said prior to 2011-2012, no.

Councilman Cimiluca said the ordinance that was amended was the ordinance that your petition proposed. That's what was amended.

Mr. Ratajczak said in the last four years you people kind of did what you wanted because you had the majority there, and anything went with you. The same thing with the DPW employee – I brought the contract here, and I showed you the contract was revised. He was never a member of the DPW. I still have the contract that says right on it, *revised*. And that didn't mean anything. Like I say, it will all come out in the wash. Believe me, it will. Time will heal everything.

Mr. Ratajczak said as far as Veterans' Field, I still believe that we need a drawing or some kind of plans so that we can move forward. Mr. Cimiluca thought it was fine to send out refreshment stands and bathrooms – approximately over a million dollars. Everybody up there knows we can't afford that. We don't have that money allocated, so why would you even think of that issue or entertain that issue? So we can look at the plans and say oh, this is beautiful, but unfortunately I can't afford it? So we just waste time, money and everything else. Like I said, until today, we still don't have a drawing or a concept that we can sit down with the engineer and show him what we want here, what we want there and then give him the numbers that you have and see if they fit in there. We've got to start somewhere. You have to put a foundation down. There's people in Washington Township building a field. I guarantee you they have a set of plans. I guarantee you they have plans, and they know what it's going to cost. We can talk about Todd going out and getting bathrooms and Joe doing this and doing that. It's not getting done guys. Mr. Cimiluca is worried about starting now in November, but last year when I brought it up about starting the field in November, the weather wasn't an issue. Now all of a sudden we have to worry about snow and everything else like that. So you contradict yourself on whatever fits your needs. Like last year, the weather wasn't a problem. This year, the weather is a problem. We've got to start somewhere.

Mr. Ratajczak said we should show our whatever to the high school. If we do have bad weather, and I know it's a very important game for them to play, the high school field can't take water. You have a brand new facility here, whole teams of three and up – I don't know if you offered it to them. I don't know if it can be done, but it would be a nice gesture. It wouldn't be a bay of pigs, and we wouldn't need the high school field for the rest of the year because it only takes one game in mud and the field is done for the year. That's what we have for Saddle Brook residents, for Saddle Brook kids. We're Saddle Brook people. It should be for everybody to

use, and it's a time of need right now with the weather, unless they postpone the game, but I don't think they should play at the high school, not when we have a brand new field sitting there. I think that would be a good gesture on our part and to extend our fields to them, and maybe we can get that relationship working the way it should and the way it should work in other towns.

Mr. Ratajczak addressed the questioning of the bills. He said I've been coming to meetings for years, and I've never heard a bill questioned, only from this side of the stand. Someone questioned like four bills this past work session. If you had did that four years ago, maybe we'd have a little money left in the kitty, but that expired, that money, and now all of a sudden we're going to micromanage this guy here. We didn't do anything for four years, so I don't see why we should start it now. The good old days are over.

Mr. Ratajczak noted again that he thought the field should be offered to the high school.

Mr. Omar Rodriguez of 275 Madison Avenue addressed the audience through the chair. He said, I believe that not just me but everyone that approaches the council has to have some respect. The next time I hear from this person, I'm going to go, I'm going to defend myself, and I don't care about her mental disability or not. Enough is enough, you've got to respect.

Mr. Rodriguez continued that we as eight years a councilman, four times council president. He said, before I start, I would like to just not rehash but just briefly touch on a couple points Councilman Cimiluca just touched on, and I'm not going to go into details.

Mr. Rodriguez said one of the former elected officials' relative, when they were hired, it was [passed to the people's questions] that it was properly done because at the very beginning it was improperly done, the hiring. It was after questioning that it was advertised, actually after the employee started working. A lot of other people that applied for that job were told it was an entry level, it was going to be no pay raises for a long time, which did turn out to be untrue. So it helps when people question. So then the process was amended, and the person has still continued working.

Mr. Rodriguez said in regards to the health benefits, actually, the committee was looking to ask the residents for signatures in order to put it as a way of referendum, to put it on the ballot and to ask the residents if it's fair for the taxpayers to pay for the health benefits of elected officials that at this moment is costing close to \$30,000 a year. In return, the people would say no if the referendum would have gone. One of the suggestions would have been maybe to pay \$10 or \$15,000, a stipend, instead of paying for the health benefits to the elected officials. But then it didn't go through. It's just to clarify. I'm not planning to go into debate, whether it's debatable or not at this moment. I'm not going into that, but I just want to clarify what Councilman Cimiluca just mentioned to the prior speaker here.

Mr. Rodriguez said we're not here to prove one party or the other. We're here to address overall issues, and unfortunately I don't think that it's the proper venue right here, and I can assure you if we're going to go to [inaudible] that Councilman Cimiluca is not going to be a democrat, at least until after December 31<sup>st</sup> 2016. Not on my watch, and he knows what I mean.

Mr. Rodriguez continued, I don't know if it's proper or not, but I've been asking for a few months about information between the business relationship between Councilman Cimiluca and the prior Township Engineer. Finally I had the chance, you provided me with the tapes yesterday. So I listened to the tapes. The prior engineer was appointed five years ago, May 2012 – by the way, before I even ask, through the chair if I may, before I even continue, if I can just ask Councilman Cimiluca, he does not have to respond, for how long he's been in a business relationship with the prior Township engineer. If he doesn't want to, he doesn't have to.

Councilman Cimiluca said he did not recall the first case he handled for him but probably 2009-2010.

Mr. Rodriguez said it hasn't been continuous, so you are not working with him anymore.

Councilman Cimiluca said there is only so much I can say. I currently have one active file where I do collection work. He sends a bill, if he doesn't get paid and he can't work it out with them, I file suit on behalf of his corporation, and we have been very successful.

Mr. Rodriguez said that's good to know. He said the only reason I brought this up was because I believe people just need to know, and I don't think there is nothing shady, and that's why I asked you openly, and we're just going to research. The comments that you made when you were not voting on the bill for the engineer was that you have in May 2012 at a public council meeting you said, I have past business relationship – that's why I'm not going to vote on the bills. So basically he didn't say much, and that was the reason I was trying to research a little bit more.

Regarding Veterans' Field, Mr. Rodriguez said, I haven't heard anything again on my proposal that I was trying to come forward using of course the services of the engineer of the town and trying to put a group of professionals, carpenters, masons and all kinds of electricians to try to do what needs to be done at Veterans' Field. I haven't heard anything for good or bad. I don't know if it's just because it's me that is proposing it, that's it not going to fly, but it's a shame that we're still here when we were told last time that no matter what happened, those bathrooms were going to be there and we had the money and that cost was not an issue. Sometimes before we made those statements, and especially the taxpayers at home, we have to be careful because people take it for granted. The people that use the fields, take it for granted. What can we tell them now? That there is no bathrooms? What can we tell them now? That we didn't ask the proper questions at the proper time? What can we tell them now? That we didn't know it was going to cost close to a million dollars? I didn't know the bathroom was going to have toilet bowls made of gold or silver, I don't know. But the proper questions were not properly asked at the proper time. So I hope this serves as an opportunity to not make the same mistake again, but I also see on the agenda for tonight, I see the salt shed. It has been on for many, many, many months. Winter is here. It's not going to happen. Where is it? I don't want to be negative, but I've been told a long time ago that this was going to be built. The reason the government exists is two different branches – Council members legislate and control the budget. The mayor does the day-to-day operations, so just a piece of advice to the mayor. I don't know, there's a lot of bickering, it's obvious that somehow nothing is being put forward because who's going to do it? What is the cost? You know what, whether it's \$50,000, whether it's \$300,000, whether it's \$200,000, once they put the money that's the time to move forward, but there shouldn't be no more talk. It's a shame that winter is here and nothing is happening. So we need to have our own. We are depending on other towns for things that we should be moving forward, but if we can't do this, how can we move forward into other projects? I believe the immediate project should be to locate parking spaces for the municipal offices. February is around the corner. The bar is going to be knocked down. There's going to be no more parking. What are we doing about that? Those are the things that I believe we should be looking for, but we are still with the salt. Maybe we're going to discuss that in the summer next year, but I don't want to just keep on going with this. I believe it should be more of a thinking between the engineer and the attorney in terms of it is easy to say you could do it, who could not do it, but when it comes to safety, it might represent a big liability if we don't do it properly, especially under state regulations, so let's just be careful on that. We're going to save a few dollars and somebody gets hurt in the construction or something happens in the loading or unloading of salt, we're going to be libel. The township, especially the taxpayer, will have to pay that.

Mr. Rodriguez said I see cameras for Veterans' Field. I don't know about the cost. It's nice that – I was looking up here, but now I realize it's here, the paperwork, so I haven't had a chance to put a cost to it. Council President, if I can just ask you, what is the cost for the cameras?

Council President Mazzer said the proposal came to \$10,450.

Mr. Rodriguez said, I guess it's night time vision, so it's going to be good?

Council President Mazzer said yes.

Mr. Rodriguez said just one more favor, if you can just, whoever is going to install it to try to use the poles, the lighting poles because those are things that we're not going to move. If we put it any other place, we're going to keep on moving it because we don't know what any other additions or if any other type of work is going to be done at the field. Then again, also there was a lot of talk if we're going to open the field to the residents in the future, from what time to what time, if any and if dogs are going to be allowed. Those are things that, I don't know if we are still working on that, but I don't know if it has been done through legislation.

Mr. Rodriguez said finally I'm going to touch on police overtime. I know that the police contract will be up next year. We can do something this year, but also for the contract for next year there are a lot of points that we should take care.

Mr. Rodriguez asked how can it be that Saddle Brook having one of the good paid police officers, one of best paid police officers. How can we allow to have captains doing detail? It's up to the council to regulate that. Through either contract, contract is coming up next year. The things are going to be negotiated this year, will be put in your hands next year, but that's something to consider. I do not believe that just by getting roughly \$140 an hour, a captain for eight or 12 hours that they work at \$140, they are making an average of \$225,000 a year. Oh, that's fine. PSE&G will pay. No. We pay. Do you think that PSE&G is going to lose money? They don't lose money. Taxpayers will pay. So they are cashing in at a rate of \$60,000 in overtime a year. What are we doing about that? We can do something because we are just charging 20% administrative fee, but we have to be realistic. That administrative fee service to take care of the cars and a lot of things, gas...but is it right to pay a captain – and by the way I've got nothing against the captains – but \$225,000 a year is too much money. Why not to give it to the low pay patrolmen who is getting paid \$105? But we can regulate if we want to through the Council. We can put a rate, a flat rate, and guess who is going to take that job? That lower paid rank and file patrolman. That's something that I believe you should look into, and I don't know at this moment if it's part of the contract. I don't know if it comes through administration because I don't think they can do nothing at least for now unless they put in an ordinance for a flat fee, but it's something that we should look into that, that we should prioritize and give them more to the – we've got several new cops. Some of them are just making the minimum, but for someone that is making already a base salary of \$175,000 an hour [sic] – I've seen a captain right there having a coffee, standing on Saddle River Road, to make \$60,000 more overtime a year, that's something that should make us think a little better because guess what? In the future when those jobs from private contractors or just to put out an idea the PSE&G jobs are gone, everybody is going to count on that overtime because they're going to be used to that salary, and that is not the reality. At the end of the day one or the other, we the taxpayers are going to have to pay for that. So please take a serious consideration that it should just be a unique or flat fee in overtime when they are off duty.

Councilman Cimiluca asked where Mr. Rodriguez got the \$60,000 figure that he referenced.

Mr. Rodriguez said public records. In the last two years, \$700,000 have been paid over time to the police department.

Councilman Cimiluca asked in how many years, and Mr. Rodriguez said three years. That's not even finished the year because it was not even over, but if you look just until – any captain, the average what they are making is \$225,000.

Councilman Cimiluca repeated that the average captain makes \$225?

Mr. Rodriguez said including the overtime.

Councilman Cimiluca said you're not counting benefits with that, are you?

Mr. Rodriguez said no, overtime. He said if you wish, I can just try to share that with you. Again that's something you should look into because we are not a rich town. They cannot claim they are poor. But it's up to you elected officials to do something about it.

Mr. Rodriguez also suggested next year to include Hispanic Heritage month. He said there are 3600 Latinos or Hispanics living in Saddle Brook, 1400 of them are registered to vote, so please consider – [Mr. Rodriguez concluded in Spanish].

Mr. Len Azzarone of 4<sup>th</sup> Street in Fair Lawn asked for a clarification. It sounds to me like what I've heard so far is an argument. I want to make sure I'm understanding correctly. Mr. Cimiluca has been getting beat up of late because of this health care. As far as I remember, he's not the only one that voted. Am I wrong in saying that there is also Ms. Mazzer and Mr. Camilleri? The three of you voted on that.

Council President Mazzer said I did.

Councilman Camilleri said you got that wrong. I did not vote on that.

Councilman Cimiluca said that was enacted before Joe Camilleri was elected.

Mr. Azzarone said, so when the Democratic Club president comes up and wants [inaudible] to Republican, I think it would be for transparency's sake to let it be known that both Mr. Cimiluca and Mrs. Mazzer would be entitled to anything that was done, not just Mr. Cimiluca, right?

Council President Mazzer said that was correct and corrected Mr. Azzarone that it was Ms. Mazzer.

Mr. Azzarone apologized. Council President Mazzer said she has a single benefit plan also that costs the town approximately \$9700 a year.

Mr. Azzarone said I just wanted to be clear that it's not just the one man here that made this problem, it was the past Council that made this problem. I don't think it was coming across that way, and I just think for the benefit of all we should realize that.

Mr. Howard Rofofsky of 520 Victor Street asked Council President Mazzer if that gentleman lives in Saddle Brook. He said I know he worked here for 30 years, but does he live here? Next question is, does he pay as much attention to Fair Lawn where he lives like he does to Saddle Brook?

Council President Mazzer said he did state his residency.

Mr. Rofofsky said he has a lot of business here in Saddle Brook, I wonder if he has as much business in Fair Lawn where he lives.

Hearing no one else, Council President Mazzer asked for a motion to close the meeting to the public.

Motion: Councilwoman D'Arminio                      Second: Councilman Camilleri

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer – yes



## Mayor's Comments

Mayor White discussed the purpose of his executive order prohibiting nepotism. He said the basis of it is to preserve integrity in government and in the hiring process. He said he was not criticizing the council for not passing the ordinance, and that he truly believed each and every one of them feels the purpose of the ordinance is valid and they believe in open government and that the hiring process should be fair and impartial. He added he felt they disagreed on the need for the ordinance and whether or not an ordinance would be effective in doing those things.

He said he felt it was important to start the administration off right and have the right hiring practices, which was why he issued the executive order.

Mayor White requested the Council's support for the bond ordinances. He mentioned the importance of the security cameras at Veterans' Field to protect our investment there. He said he also would like to see the field open for residents at least until 10 PM, and the gates could open up at 7 or 8 in the morning.

He mentioned the phone system lease and said he felt that was a necessary expenditure because the system we have now is outdated and needs to be upgraded.

Mayor White mentioned the community development grants for the Senior Center Clerk salary, additional money for drainage projects and barrier free restroom facilities at Veterans' Field. He mentioned the DOT grant for paving which was originally for Cambridge, but the current engineer decided it would be best to go with Caldwell Avenue if we can obtain that grant.

He said we are still considering alternatives for the salt shed, and he hoped we could make a decision soon so we can move forward with that, but added he did not believe it was going to happen this year.

Mayor White said with regards to Veterans' Field the engineer went there along with Councilmen Camilleri and Accomando and is currently drawing up some conceptual drawings. He believes we can get the bathroom facilities and concession stands to come in within the budget. He said it probably won't be until the spring that we can move forward with that.

He said plans were submitted by the engineer to Bergen County for ADA compliant ramps. We are waiting for approval, then we can go out to bid on that. After that the county will pave the road. The ramps are reimbursed once the job is complete.

He said the 300<sup>th</sup> Anniversary committee had its' first meeting on September 9<sup>th</sup> with over 20 members, and we are currently forming committees there. We are also making an emblem for the events which should be done shortly.

With regard to the flood committee Mayor White said they met on September 16<sup>th</sup> and Councilman Camilleri and Councilwoman D'Arminio attended that meeting and will speak about it later on this evening.

He discussed the shared services meeting on September 24<sup>th</sup> and noted there will be monthly meetings and the whole idea is to work together to reduce costs using shared services.

Regarding the Mayor's Youth Group he said they met on September 26<sup>th</sup>. The group is growing and it's nice to see the youth of the town want to do community service and be involved.

He mentioned the upcoming events including the Senior Halloween Party on October 20<sup>th</sup> at 6:00 pm at the VFW. Registration starts October 1<sup>st</sup> for the Halloween decorating contest. Trunk or Treat will be October 31<sup>st</sup> at Long School from 1:00 pm to 3:00 pm. And there will be the Chamber of Commerce Town Hall meeting on October 28<sup>th</sup> from 5:30 to 7:30 PM at the Marriott – with the Hackensack Regional Chamber of Commerce.

He said Public Service will begin replacing gas mains in the area just north of Market Street, Harrison, Catherine, Ackerman, etc. We will be having a pre-construction meeting some time over the next week or two, residents will be notified prior to the start of the work and the good thing about this is the roads will be paved upon completion of the gas project, so we should get several roads paved.

Mayor White also discussed the student council election at Saddle Brook High School on October 20<sup>th</sup> and said class representatives from the middle school will be able to use the actual voting machines.

He mentioned that Advanced Recycling was retiring and Gaeta would be filling in until a new contract is awarded.

He added due to the impending storm there will be an emergency management meeting tomorrow. He asked residents to take the necessary precautions and listen and watch all news media alerts. We will have emergency notifications via the website, saddlebrooknj.us, Facebook and SBC-TV, also Nixle e-mail and text alerts and Swiftreach 911.

Mayor White addressed Mr. Rodriguez's concern about the parking and said we are considering different options and alternatives because as many of you know Ed's Tavern was sold.

He said he liked Mr. Ratajczak's idea about using Veterans' field for the high school games.

He concluded by discussing department overtime and said he was very pleased with the initiation of the 12-hour shift. Over time is way, way down. We budgeted close to \$200,000 and I don't believe we have spent \$35,000 approximately. We are doing very good in that area.

He said he was not in favor of limiting police overtime to administrative personnel. Mr. Rodriguez was right about the amount, it's close to that \$140 – that's a lot of money to be paying a traffic officer. I don't feel that those higher paid officers should be excluded but I think the best way to go is with a set rate. He said he believed an ordinance could be passed to consider it instead of overtime consider it extra duty and to set a fair rate that even the officers at the lower rung of the pay scale would make that rate too. I think it's better overall because when the contractors bid the job they will know how much in advance how much that's going to be, because now we can't tell them that. We have to say it could be anywhere between \$30 and \$140. It's hard for them to know how much to bid on.

Mayor White said he's been on that end as Deputy Chief, and it's hard to answer. It's a contractual issue, unless Council can pass an ordinance. Next year the police union will be negotiating and perhaps we can try to get them to agree to go to a set rate.

## **COUNCIL COMMENTS**

Councilwoman D'Arminio said with regards to the Mayor's executive order, she was pleased that the mayor reconsidered his position to include all the departments along with the elected officials, which was what we originally intended in our campaign. The Mayor's executive order outlines the powers the mayor already has, therefore I would like to see it enforced into an ordinance and I would support that. As an ordinance it would be a law in town and make it more difficult to rescind or be revoked by a new mayor without the approval of the governing body.

Regarding the flood meeting on the 16<sup>th</sup> of September, Councilwoman D'Arminio said it was a very good meeting and Councilman Camilleri would also discuss it a little bit. She said we have asked the county to help us work on the national flood insurance community rating system which once completed will help the residents by reducing their flood insurance premiums.

In response to Mr. Rodriguez's comments on the salt shed she said we did get the bid last Friday and the lowest bid was \$197,960 without the soft costs. We certainly are not trying to not have a salt shed, but I think we have time to research other avenues. By no means we want to stall the project, we just want to do a little bit more research because that seems like a whole lot of money.

She also said she spoke to John Biale regarding Caldwell housing, and he said everything is in order and we should know by the second week of October.

She added Chicken Bingo would be October 8<sup>th</sup> at the Senior Center and the Tree Lighting will be on November 27<sup>th</sup> at Town Hall at 6:00 PM followed by our Holiday Party at the High School.

Councilman Camilleri reiterated that he had no part of the benefit ordinance, and he does not have benefits. Secondly he acknowledged Marilyn and Joe Nasello for UNICO and mentioned his uncle Angelo Greco who recently passed away.

He said Breast Cancer Awareness month is very good and he hoped in the near future these diseases could be knocked out. He said his mother died of cancer.

He said the flood control meeting was very informative and that Assemblyman Eustace said towns don't need a DEP permit to go in and de-slug and clear our streams, that's a huge thing for every town. There will definitely be positive things coming from that. He said Eustace was also talking about a plan to channel some of the river run off into reservoirs so we can stop a lot of water from coming down south and we can build our own reservoirs and actually be self-sustained instead of right now we buy our water from foreign countries [sic].

He noted Mr. Ratajczak brought up a great point. There is a big high school game coming this weekend, and if rain does affect it, we have a facility now so they can plan on a dry field. He said he would like to see if we can work something out.

Councilman Cimiluca said it is Hispanic Heritage month between September 15<sup>th</sup> and October 15<sup>th</sup>. He said the UNICO Street Fair would be held rain or shine on Sunday.

Councilman Cimiluca then said the last time I looked we were in America, and if somebody wants to switch parties, which I have no intention of doing, but somebody said no one is going to join a party under his watch. I don't know what that means because I don't know what position he's got that he can tell anybody what they want to do or whether he has any power whatsoever to control anybody's will. Welcome to America, people can choose whatever party they want. I don't want anyone to take it that I am changing parties, which is when I hear stupid statements like that it just kind of pisses me off.

Regarding Veterans' Field, Councilman Cimiluca said we've heard for a hundred times there are no plans. I don't know what people are listening to or not listening to. There are plans. How could we send it out to bid without plans? There are obviously plans. Those plans were made up, the guestimate – as someone said you either don't understand, or you don't want to understand. If you don't want to accept the answer – however there are plans. They were ready to go out to bid, the Council decided not to send them out to bid. You can't get a bid without plans. We've got a stack of papers twelve inches high with plans. Somebody said, it was just a guestimate, I think it's going to be a million dollars – well maybe \$200,000 of that was because the Council decided in our discussion – we were discussing this ad nauseam, that we were going to put a second floor, which we didn't consider in the beginning. It turned out to be maybe that's a good idea. My position was to send it out to bid, but because somebody said it was going to be a million dollars, fright took over, people yelling from the back of the room took over and it wasn't sent out to bid. Right now, do we have plans? Yeah, they're stuffed away in some box. We don't have new plans, and I believe that Tom is going to be working on that.

Councilman Cimiluca continued that in terms of the weather, yes, I was very concerned last year that we start on time, and we did get a good two months or so

in before we hit bad weather. Right now we don't have anything to go to bid. Now we're talking about before it's reality, December or January and that's when the weather is going to hit. He said they did a hell of a job getting the field ready, and he didn't think we lost more than a week of sports. The weather is going to affect us and his fear was the concession stand and bathrooms would not be ready for next years' fall season. He said he thought we had to move on this.

Councilman Cimiluca said last year he asked the auditor if the zero budget screwed the town, because that's what we're hearing – you have a zero budget, it was an election ploy, and you put us in a bad position, and he said no. He was not my party's auditor – he was the auditor that was brought in by the new administration, and he said no – he left the town in a good, sound financial position.

He added, now I believe the only taxes that were increased, there was some tax increase due to ratables going down, but the only tax increase from the down is something this year like \$30 per household. My question is, if the zero budget was such an election ploy, how is it that \$30 – what's the difference? It's \$30 a household? But that's okay, and everything is running fine now – but the zero budget was a ploy. Now it was a perfect storm last year of insurance premiums going down, we got some grants, and we were able to do it and I'm sure if the same situation arose, this council, which is definitely a different political makeup, would make that same decision. You don't raise taxes just for the sake of raising taxes. If we can save the taxpayers money that's what we do.

In regard to his relationship with Mr. Costa, Councilman Cimiluca said this was stuff that's been going on – it's the same stuff all the time. He looked at something from May of 2012, and it took him five months to find it, but if he had looked a little deeper and saw that the day Mr. Costa was hired, that he was appointed on January 1<sup>st</sup> 2011, on that date when the vote came to hire him or for advice and consent, I abstained and I said I can't vote on that because I had a prior business relationship with Mr. Costa, meaning I represented him in the past, and there are some times when I'm not representing him. But at that time I stated it, and I abstained on every single vote for any dollar amount to him for five years, so all it took was if you're going to look at tapes, go back to January 1, 2011 not May 2012, and every vote since then, and I'm sure he submitted bills almost every month, and there was never a bill that I voted on. So it was disclosed early on, and I really don't like insinuation that there was something more to my relationship with Mr. Costa during his term as our engineer.

In terms of the Access for All Committee – Councilman Cimiluca said he had contacts for the members, and he plans to send a letter out organizing a meeting.

He said he thought the chief was going to some convention or conference and report back to us about the billboard. But I think it's already been purchased.

He said he was a little disappointed that we didn't know what was available. We're going over salt sheds, roofs, bathrooms – but that's something the council should have had an opportunity to – if there's three different kinds, which one we would like to do. It's great that we're getting one. I just wish we had a little more input into what we were getting.

He said he spoke to Mr. Biale and confirmed they were looking to have answer about housing in the first two weeks in October.

Regarding nepotism Councilman Cimiluca said the executive order is exactly the ordinance he had proposed. He explained that he appreciated what the Mayor had done but explained that the executive order could be rescinded and an ordinance would make it part of the law of Saddle Brook. He said he would be picking this issue up at the November meeting.

Councilman Cimiluca then addressed the issue of benefits and said there are one or two people coming up constantly and talking about the benefit issue and bringing up things that happened years ago. Move on. Before the last election, three years ago, there were two people that ran that will be able to continue receiving health benefits if they want. Those two people were elected, me and Ms.

Mazzer. To some people it's a big issue and I guess being that we were elected – to most other people it was not a big issue. It's done, again for the hundredth time, if you want to go back to the 50s and find the ordinance that says the council gets health benefits, it's not there, no one ever said it was there. No one ever said it was there. The ordinance that was amended was the proposed ordinance that was part of the petition, that's how it was done. There was labor counsel that was here who gave the opinion that had that petition passed, had that ordinance not been amended by that city council it would have had an adverse effect on people who did get the benefits, retirees and would most likely lead to expensive litigation which we most likely would lose. That being said, hopefully this is the last time we have to talk about benefits. I know that there is an agenda. I'm running next year, there's no doubt that I'm running and certain people who come up here have opinions and have agendas and that is to have me not elected. I understand that, That's your job, but my job is to work for the township of Saddle Brook. I think I do a good job and I'm hoping that the people here will re-elect me. I'm not a one issue pony.

Council President Mazzer commended the Council and the Mayor for answering the questions. She said Mr. Rodriguez insinuated we were holding up some of the projects, specifically the salt shed and the bathrooms – and explained the reality of it is that quite a few of us up here are in the private sector and we see numbers coming in on projects – specifically one I know firsthand, the salt shed, we see numbers come in and they are so different than what I personally know to be fact for almost the same size, so we're going to scrutinize and we're going to visit every avenue that we can. Again being in the private sector, there are different things to consider than in the public sector and we take that into account, but the reality is sometimes it's a lot more money. If it was up to me, I would have all volunteers for the plumbing, the salt shed, the bathrooms, even the cameras, but the law requires that we follow certain criteria and we can't. I wish we could. We are always looking after the taxpayers one way or another.

Mayor White noted regarding the sign, it was purchased through DWI funds and the board that was purchased was under state contract. The Chief of Police handled the purchase of it and submitted all the paper work to us. He said he always asks for input and if there is something the Council wants they should put in their input.

Mayor White said regarding the nepotism ordinance it got to a point where he felt the discussion was starting to turn a bit negative amongst the Council. He felt it was causing divisiveness and he didn't like to see that. He said he might not always agree with the decision of the council but he had to respect it. He felt they were not going to get his thing through and he would be happy if an ordinance was passed. He said he did not want to rehash it and didn't want to be the person who kept pushing and pushing people who have a different opinion.

Council President Mazzer said in the next couple of meetings you will notice we are revisiting and amending some ordinances and some of them go way back. We'll be bringing them up to date.

## **ORDINANCES**

### **1. ORDINANCE #1604-15 – FIRST READING AN ORDINANCE AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, CHAPTER 189 ENTITLED “TAXICABS; LIVERY SERVICES”**

The Council President announced that the next order of business is the introduction of **AN ORDINANCE AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, CHAPTER 189 ENTITLED “TAXICABS; LIVERY SERVICES”**

The Council President directed the Township Clerk to read the resolution regarding passage and adoption on first reading.

Motion: Councilman Camilleri

Second: Councilwoman D'Arminio

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer – yes

**CR# 1015-245**

Be it resolved that **AN ORDINANCE AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, CHAPTER 189 ENTITLED “TAXICABS; LIVERY SERVICES”**

by the Township Council of the Township of Saddle Brook that heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 5<sup>th</sup> day of November, 2015 at 7:00 PM, or as soon thereafter as the matter can be reached at the Municipal Building, 93 Market Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a time and place when and where said ordinance will be further considered for final passage.

Motion: Councilman Camilleri

Second: Councilwoman D'Arminio

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer – yes

**2. ORDINANCE #1605-15 – FIRST READING**

**BOND ORDINANCE PROVIDING FOR FLOOD MITIGATION IMPROVEMENTS (INCLUDING THE ACQUISITION OF PROPERTIES) IN THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING \$850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$809,523 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

Mr. Lo Dico noted that there are state and county grants that will be applied to this ordinance.

The Council President announced that the next order of business is the introduction of **BOND ORDINANCE PROVIDING FOR FLOOD MITIGATION IMPROVEMENTS (INCLUDING THE ACQUISITION OF PROPERTIES) IN THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING \$850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$809,523 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

The Council President directed the Township Clerk to read the resolution regarding passage and adoption on first reading.

Motion: Councilwoman D'Arminio

Second: Councilman Camilleri

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer - yes

**CR# 1015-246**

Be it resolved that a **BOND ORDINANCE PROVIDING FOR FLOOD MITIGATION IMPROVEMENTS (INCLUDING THE ACQUISITION OF PROPERTIES) IN THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING \$850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$809,523 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

by the Township Council of the Township of Saddle Brook that heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 5<sup>th</sup> day of November, 2015 at 7:00 PM, or as soon thereafter as the matter can be reached at the Municipal Building, 93 Market Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a time and place when and where said ordinance will be further considered for final passage.

Motion: Councilwoman D’Arminio

Second: Councilman Camilleri

- Councilman Cimiluca – yes
- Councilman Camilleri – yes
- Councilwoman D’Arminio – yes
- Councilman Accomando – absent
- Council President Mazzer - yes

**3. ORDINANCE #1606-15 – FIRST READING**  
**BOND ORDINANCE PROVIDING FOR VARIOUS 2015 GENERAL CAPITAL IMPROVEMENTS BY AND IN THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING \$760,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$594,405 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

The Council President announced that the next order of business is the introduction of **A BOND ORDINANCE PROVIDING FOR VARIOUS 2015 GENERAL CAPITAL IMPROVEMENTS BY AND IN THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING \$760,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$594,405 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

The Council President directed the Township Clerk to read the resolution regarding passage and adoption on first reading.

Motion: Councilwoman D’Arminio

Second: Councilman Camilleri

- Councilman Cimiluca – yes
- Councilman Camilleri – yes
- Councilwoman D’Arminio – yes
- Councilman Accomando – absent
- Council President Mazzer - yes

**CR# 1015-247**

Be it resolved that a **BOND ORDINANCE PROVIDING FOR VARIOUS 2015 GENERAL CAPITAL IMPROVEMENTS BY AND IN THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING \$760,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$594,405 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

by the Township Council of the Township of Saddle Brook that heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 5<sup>th</sup> day of November, 2015 at 7:00 PM, or as soon thereafter as the matter can be reached at the Municipal Building, 93 Market Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a time and place when and where said ordinance will be further considered for final passage.

Motion: Councilman Camilleri

Second: Councilwoman D'Arminio

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer - yes

**All items listed with an asterisk (\*) are considered routine and non-controversial by the Township Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member(s) so requests it, in which case the item(s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies adoption of all resolutions, receive and file letters, correspondence, reports and approval of applications and minutes.**

Mr. Lo Dico noted the minutes of the September 3<sup>rd</sup> meeting would not be part of the consent agenda and resolution # 11 {CR# 1015-258} would be voted on separately. He said in the opinion of Mr. Lemanowicz, Caldwell Avenue might be a better location for the DOT grant than Cambridge Avenue.

Mr. Lemanowicz discussed the water main on Cambridge and on Caldwell and the reason for his recommendation.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer – yes

**THE FOLLOWING MINUTES OF THE SEPTEMBER 3<sup>RD</sup> PUBLIC MEETING ARE NOT PART OF THE CONSENT AGENDA.**

**MINUTES**

- 1. September 3, 2015 – Regular Public Meeting

Motion: Councilman Cimiluca

Second: Councilman Camilleri

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – abstain  
Councilman Accomando – absent  
Council President Mazzer – yes

**\* RESOLUTIONS**

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 1015-248**

**WHEREAS**, a Tax Court Judgement for the year 2008 for Block 1701, Lot 8, assessed in the name of North Midland Realty, LLC whose property address is 535 North Midland Avenue has created an overpayment of \$3,525.00,



**NOW THEREFORE BE IT RESOLVED**, that the refund be payable to Nashel & Nashel Trust Account, whose address is Nashel and Nashel, LLC, 415 Sixteenth Street, West New York, NJ 07093.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-249**

**WHEREAS**, a lien on a parcel of property referred to as **12 Williams Street, Saddle Brook, NJ 07663, also known as Block 613, Lot 11 (Cert. 2010-10)** assessed in the name of **USA Asset Forfeiture Unit-Esq. Levin** was sold at the Township's Tax Sale on December 30, 2010 for Taxes to Ace Plus, Inc., 1416 Avenue L, Brooklyn, NY 11230; and

**WHEREAS**, the State of New Jersey has made the necessary arrangements with the Collector to redeem this lien; and

**WHEREAS**, the Tax Collector has deposited the bank check in the amount of **\$100.00** into the Township of Saddle Brook Premium Account;

**NOW THEREFORE BE IT RESOLVED**, that a warrant be issued to **Ace Plus, Inc., 1416 Avenue L, Brooklyn, NY 11230**, in the amount of \$100.00 from the Township of Saddle Brook Premium Account in settlement of this lien. (Cert. 2010-10).

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-250**

**WHEREAS**, a lien on a parcel of property referred to as **12 Williams Street, Saddle Brook, NJ 07663, also known as Block 613, Lot 11 (Cert. 2010-10)** assessed in the name of **USA Asset Forfeiture Unit-Esq. Levin** was sold at the Township's Tax Sale on December 30, 2010 for Taxes to Ace Plus, Inc., 1416 Avenue L, Brooklyn, NY 11230; and

**WHEREAS**, the State of New Jersey has made the necessary arrangements with the Collector to redeem this lien; and

**WHEREAS**, the Tax Collector has deposited the bank check in the amount of **\$41,511.83** into the Redemption Account;

**NOW THEREFORE BE IT RESOLVED**, that a warrant be issued to **Ace Plus, Inc., 1416 Avenue L, Brooklyn, NY 11230**, in the amount of \$41,511.83 from the Redemption Account in settlement of this lien. (Cert. 2010-10).

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-251**

**WHEREAS**, Maser Consulting, Clinton, NJ 08809 has submitted a proposal dated September 18, 2015 for updating the Housing Element and Fair Share Plan (MC proposal SDP-003P) at a cost of \$15,500.00; and

**WHEREAS**, the report is needed for the Township's Fair Share Housing report to the court,

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook that it hereby awards a contract to Maser Consulting as per the proposal submitted providing funds are available; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Council are authorized to sign said contract.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-252**

**BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook that it hereby wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$23,769.00 in 2015-2016 Community Development Block for Senior Bus Driver Clerk; and

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby authorizes Mayor Robert D. White to be a signatory to aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Township Council hereby authorizes Peter Lo Dico, Township Clerk/Business Administrator to sign all county vouchers submitted in connection with the aforesaid project; and

**BE IT FURTHER RESOLVED** that the Township Council recognizes that the Township of Saddle Brook is liable for any funds not spent in accordance with the grant agreement, and that the liability of the Township Council is in accordance with HUD requirements.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-253**

**BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook that it hereby wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$60,873.00 in 2015-2016 Community Development Block for Storm Drain Rehabilitation; and

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby authorizes Mayor Robert D. White to be a signatory to aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Township Council hereby authorizes Peter Lo Dico, Township Clerk/Business Administrator to sign all county vouchers submitted in connection with the aforesaid project; and

**BE IT FURTHER RESOLVED** that the Township Council recognizes that the Township of Saddle Brook is liable for any funds not spent in accordance with the grant agreement, and that the liability of the Township Council is in accordance with HUD requirements.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-254**

**BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook, County of Bergen, State of New Jersey that the following license be renewed for

the year 2015/2016, subject to the Division of Alcoholic Beverage Control and that the NJ ABC be so notified.

**LIMITED RETAIL DISTRIBUTION LICENSE**

<b><u>STATE LICENSE NO.</u></b>	<b><u>NAME</u></b>	<b><u>AMOUNT</u></b>
<b>0257-43-002-008</b>	<b>Neha &amp; Anish, Inc. T/A Hometown Market 485 Fair Lawn Parkway</b>	<b>\$63.00</b>

Motion: Councilman Cimiluca

Second: Councilwoman D’Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D’Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 1015-255**

Introduced by Council President Mazzer

**WHEREAS**, October is Italian heritage and culture month; and

**WHEREAS**, we take this opportunity to recognize the many contributions made by Italian-Americans throughout the United States, New Jersey and especially here in Saddle Brook; and

**WHEREAS**, in particular we honor the commitment of the Saddle Brook Chapter of UNICO National to our community by supporting programs including teaching Italian in our schools, Saddle Brook’s First Street Fair, the Township’s Annual Picnic, awarding scholarships, supporting causes such as Jimmy V., Cooleys Anemia, St. Jude, Mental Health programs and anti-bias programs, and installing benches in UNICO park; and

**WHEREAS**, members of the Saddle Brook Chapter of UNICO have gone on to serve as UNICO district governor and UNICO National president, as well as receiving numerous honors and recognition,

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that the Saddle Brook Chapter of UNICO is commended for faithfully following the UNICO motto “Service Above Self” and recognized for service to our community as we celebrate Italian Heritage and Culture Month.

Motion: Councilman Cimiluca

Second: Councilwoman D’Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D’Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## TOWNSHIP OF SADDLE BROOK RESOLUTION

### CR# 1015-256

**WHEREAS**, the Township Council of the Township of Saddle Brook 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; and

**WHEREAS**, the Township Council of the Township of Saddle Brook 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 Township Council of the Township of Saddle Brook has determined that it is in the best interests of the citizens of the Township 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 Township Council of the Township of Saddle Brook, 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 Township Clerk, be and are hereby authorized to execute the aforesaid Amendment.
3. The Township Council of the Township of Saddle Brook hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of the Township with Econsult Solutions, Inc.

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

4. The Township Council of the Township of Saddle Brook 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 Township of Saddle Brook 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 Township.
6. This Resolution shall take effect immediately.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

### **TOWNSHIP OF SADDLE BROOK RESOLUTION**

#### **CR# 1015-257**

**BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that the following requisition(s) submitted to the Township Council for purchases over \$2,500.00 be approved providing funds are available:

<u>DEPARTMENT</u>	<u>COMPANY</u>	<u>ITEM</u>	<u>AMOUNT</u>
DPW	KRAFT POWER CORP	ANNUAL SERVICE PUMP STATIONS	\$3,275.00

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

**THE FOLLOWING RESOLUTION CR# 1015-258 IS NOT PART OF THE  
CONSENT AGENDA.**

### **TOWNSHIP OF SADDLE BROOK RESOLUTION**

#### **CR# 1015-258**

**BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY THAT THE PROPER WARRANTS BE DRAWN AND THAT THE ATTACHED BILLS, WITH THE EXCEPTION OF THOSE BILLS NOT APPROVED BY A MAJORITY OF THE COUNCIL, BE PAID TOTALING \$3,462,090.72 PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.**

Motion: Councilman Camilleri

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - abstain  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-259**

Presented by Council President Mazzer

### **RAIL SAFETY MEASURES IN BERGEN COUNTY**

**WHEREAS**, nationwide, rail shipments of crude oil rose from 5,000 carloads in 2006 to 400,000 carloads last year, and

**WHEREAS**, it has been reported that at least 7 million gallons of highly flammable Bakken crude oil travels through the County of Bergen per day, and

**WHEREAS**, the safety of every single resident and first responder across Bergen County is of paramount concern, and

**WHEREAS**, the concerns over the crude oil on our railways has mounted in recent months after a series of accidents and derailments in several states, and

**WHEREAS**, the National Transportation Safety Board advises that older models of the type of tank car used to transport crude oil and ethanol, known as DOT-111, are not safe to carry hazardous materials and should not be used and that all new and existing tank cars in crude oil and ethanol be equipped with additional safety,

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that we call on the New Jersey Department of Transportation and New Jersey Transit to make a complete safety evaluation and review of the entire process and that they come up with the necessary rules to review the need for these units to travel through densely populated Bergen County Communities and that they make the transport of such goods meet newly created maximum requirements to insure safe passage of crude oil throughout Bergen County, and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the office of Senator Robert Menendez, Senator Cory Booker, Congressman William Pascrell to effect federal legislation to make these changes, and Governor Christie, County Executive James Tedesco, the Bergen County Board of Freeholders, and the 70 municipalities in the County of Bergen for their support.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 1015-260**

**WHEREAS**, a Bergen County Community Development grant of \$34,530.00 has been proposed by the Township of Saddle Brook to be applied to the salary and fringe benefits of the Senior Citizen Center Clerk; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the governing body; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Saddle Brook; and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds,

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook that it hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 1015-261**

**WHEREAS**, a Bergen County Community Development grant of \$180,000 has been proposed by the Township of Saddle Brook to be applied to the Storm Drain Repair and Maintenance Program Phase II; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the governing body; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Saddle Brook; and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds,

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook that it hereby confirms endorsement of the aforesaid project; and



**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-262**

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2016 Municipal Aid Application for Caldwell Avenue.

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Saddle Brook, formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-FY' 2016 NJDOT Caldwell Avenue Roadw – 00414 to the New Jersey Department of Transportation on behalf of the Township of Saddle Brook.

**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Saddle Brook and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion: Councilman Cimiluca

Second: Councilman Camilleri

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - abstain  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-263**

**WHEREAS**, Extel Communications, Inc., has submitted a proposal for a telephone system for the Township of Saddle Brook; and

**WHEREAS**, Extel Communications, Inc., has a state contract; and

**WHEREAS**, the proposal submitted is for a 3 year lease with a monthly payment of \$1,544.64 and at the end of the lease the system will be purchased for \$1.00,

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that it hereby approves the lease/purchase agreement from Extel Communications, Inc., Belmont Ave., Haledon, NJ 07508 and authorizes the Mayor and Township Clerk to sign said contract.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-264**

**WHEREAS**, Remington, Vernick and Arango, Township Engineer has submitted a proposal dated September 23, 2015 for Document Preparation and bid services for the Cleaning and Televising of Storm Sewer – N. 5<sup>th</sup> Street to State Rt. 46,

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that it hereby approves said proposal in the amount not to exceed \$12,600.00.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

## **TOWNSHIP OF SADDLE BROOK RESOLUTION**

### **CR# 1015-265**

**WHEREAS**, a Bergen County Community Development grant of \$185,000 has been proposed by the Township of Saddle Brook to be applied to the Barrier Free Restroom Facilities Veterans' Field; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the governing body; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Saddle Brook; and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds,

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook that it hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

**\* CORRESPONDENCE**

1. **Gerald Torino, Advanced Recycling**      **Re: Retirement and turning business over to Gaeta Recycling**  
**To: Mayor and Council**      **Date: September 20, 2015**

I have been in business for 45 years. It is time to retire. With your approval effective Oct. 1, 2015 we will turn over the curbside recycling to Gaeta Recycling, Inc. They are a great company. I will make sure there is a smooth transition.

2. **Thomas Lemanowicz, PE Remington, Vernick Engineers**      **Re: 2014 DPW Storm water project, Underground Storage Tank removal Payment Certification #1**  
**To: Chief Robert Kugler, SBPD**      **Date: August 10, 2015**

Re: Township of Saddle Brook  
2014 Department of Public Works Storm Water Project  
Underground Storage Tank (UST) Removal & Site Investigation  
Payment Certification #1  
Our File# 0257-T-005

Dear Mr. LoDico:

Enclosed please find Payment Certificate #1 for Lombardo Environmental, LLC for work performed on the above referenced project. Remington, Vernick & Arango Engineers has reviewed the certificate with the contractor and we are in agreement with the payments noted.

Therefore, we recommend that the Mayor and Council approve payment to Lombardo Environmental, LLC in the amount of \$16,629.00 for Certificate #1.

Please note there shall be additional costs in the form of a change order for this project as additional remediation work needed to be completed to remove contaminated soil from around the underground storage tank location. The contamination was discovered during the tank removal.

This office has not received certified payroll documents for the project. We request that payment be approved, and the check held until the proper certified payroll documentation is submitted to this office.

Should you should have any questions, please feel free to contact the undersigned at our Secaucus office.

3. **Joseph Layton, Maser Consulting**      **Re: Proposal – Housing Element and Fair Share Plan**

**To: Peter Lo Dico, Twp. Clerk**      **Date: September 18, 2015**

Re: Proposal for Professional Planning Services  
Housing Element and Fair Share Plan  
MC Proposal No. SDP-003P

TOWNSHIP CLERK  
18 PM 2:39

Dear Mr. LoDico:

Maser Consulting P.A. is pleased to submit the following proposal for professional planning services to assist the Township in achieving constitutional compliance with its affordable housing mandate. On March 10, 2015, the Supreme Court ruled that COAH has failed to act and as a result, the Courts will be assuming jurisdiction over the Fair Housing Act.

On approximately July 8, 2015 the Township filed its Declaratory Judgment seeking a five-month period of immunity from Builder Remedy Lawsuits while the Township revises its Housing Element and Fair Share Plan (HEFSP) to comply with the Court Order. Saddle Brook Township will have until November 8, 2015 to prepare a HEFSP and submit it to the Court.

The following scope of work is proposed:

**Task 1.0 Vacant Land Assessment**

Maser Consulting proposes to conduct a Vacant Land Assessment (VLA) using the most recent MOD-IV tax data, land use data and environmental constraint data. We will use the rules in N.J.A.C. 5:93-4.2. N.J.A.C. 5:93-4.2 provides the requirements for municipalities seeking a vacant land adjustment. We have listed some, but not all, of the statute requirements below:

- (a) Municipalities that request an adjustment due to available land capacity shall submit an existing land use map at an appropriate scale to display the land uses of each parcel within the municipality. Such a map shall display the following land uses: single family, two-to-four family, other multi-family, commercial, industrial, agricultural, parkland, other public uses, semipublic uses and vacant land.
- (b) Municipalities that request an adjustment due to available land capacity shall submit an inventory of vacant parcels by lot and block that includes the acreage and owner of each lot.
- (c) Municipalities shall exclude from the vacant land inventory:

1. Any land that is owned by a local government entity that, as of January 1, 1997, has adopted, prior to the filing of a petition for substantive certification, a resolution authorizing the execution of an agreement that such land shall be utilized for a public purpose other than housing; and
  2. Any vacant contiguous parcels of land in private ownership of a size which would accommodate less than five dwelling units as per the COAH standard
- (d) Sites that can be removed from the assessment:
1. Agricultural lands shall be excluded when the development rights to these lands have been purchased or restricted by covenant.
  2. Environmentally sensitive lands shall be excluded as follows: wetlands, flood hazard areas, slopes in excess of 15%
- (e) Active recreational lands
1. Municipalities may reserve 3% of their total developed and developable acreage for active municipal recreation and exclude this acreage from consideration as potential sites for affordable housing. Sites designated for active recreation must be purchased and limited to active recreational purposes within one year of substantive certification.

We will identify vacant properties that are considered “suitable” according to the statute to determine the Township’s Realistic Development Potential or Third Round obligation.

The GIS analysis will be mapped as required by the statute and include:

1. Environmental constraints map
2. Land use map
3. Vacant lands map

Note that all three maps will be required to be submitted to the Court for review. In addition to the maps, we will prepare an excel table that inventories the vacant parcels by lot and block that includes the acreage and owner of each property. The statute requires a table that lists every vacant property analyzed and whether it is suitable or not and if not, why.

Lastly, we will perform an analysis of the amount of active recreation and parkland in the Township, pursuant to the statute. If Saddle Brook has less than 3% of its land area reserved for active recreation, the Township could potentially purchase additional land for recreation and further reduce the Realistic Development Potential. The goal of the Vacant Land Assessment is to reduce the Township’s Third Round Obligation.

**Task 2.0 Housing Element and Fair Share Plan**

N.J.A.C 5:93-5.1 provides the requirements for the preparation of a HEFSP. The rules require the following:

1. An inventory of the municipality’s housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
2. A projection of the municipality’s housing stock, including the probable future construction of low and moderate income housing, for the six years subsequent to the adoption of the housing element, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
3. An analysis of the municipality’s demographic characteristics, including, but not limited to, household size, income level and age;
4. An analysis of the existing and probable future employment characteristics of the municipality;

5. A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing;
6. A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing;
7. A map of all sites designated by the municipality for the production of low and moderate income housing and a listing of each site that includes its owner, acreage, lot and block;
8. The location and capacities of existing and proposed water and sewer lines and facilities relevant to the designated sites;
9. Copies of necessary applications for amendments to, or consistency determinations regarding, applicable area-wide water quality management plans (including waste water management plans).
10. A copy of the most recently adopted municipal master plan and where required, the immediately preceding, adopted master plan;
11. For each designated site, a copy of the New Jersey Freshwater Wetlands maps, where available. When such maps are not available, municipalities shall provide appropriate copies of the National Wetlands Inventory maps provided by the U.S. Fish and Wildlife Service;

As 2010 Census information has been released, we will need to update all of the demographic tables contained in the 2008 HEFSP and prepare any tables in the list above that were not included in the 2008 HEFSP. Items #1 through #8 will be prepared in accordance with N.J.A.C. 5:93-5.1. Items #9 through #11 will be obtained or prepared as required by the rules. These items will comprise the Housing Element portion of the report. The Township should note that in 2008 only 2000 data was available, now actual 2010 data is available.

The Fair Share Plan for Saddle Brook will include the following:

1. Description of the Township's three-part obligation - Rehabilitation, Prior Round and Third Round. This will include a discussion of the findings of the Vacant Land Assessment and charts and maps to support the findings as needed.
2. Description of the required minimum and maximum credit formulas.
3. Description of existing mechanisms and credits intended to satisfy the Township's Rehabilitation, Prior Round and Third Round obligation, supplemented with charts as needed.
4. Description of mechanisms that will be used to meet any outstanding obligation, supplemented with charts and maps as needed.
5. Draft implementation schedule that sets forth a detailed timetable for units to be built and occupied.

As the Third Round Rules were invalidated, the formulas and rules in the 2008 HEFSP are now incorrect and need to be updated. The Fair Share Plan will be amended to meet the Prior Round Rules (N.J.A.C. 5:93).

Maser Consulting will compile the above information and prepare a draft HEFSP to present to the Township officials prior to the Planning Board hearing.

### **Task 3.0 Spending Plan**

N.J.A.C. 5:93-5.1(c) states "if a municipality intends to collect development fees, it shall prepare a plan to spend development fees". The rules require the following components:

1. A projection of revenues anticipated from imposing fees on development, based on historic development activity;

2. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
3. A description of the anticipated use of all development fees;
4. A schedule for the creation or rehabilitation of housing units;
5. If the municipality envisions being responsible for public sector or non-profit construction of housing, a pro-forma statement of the anticipated costs and revenues associated with the development; and
6. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan.

This office recommends updating the current Spending Plan as revised through 2012 with the latest data, incorporating any new mechanisms that the Township intends to fund fully or partially fund with development fees and submitting the revised Spending Plan to the judge for review and approval. The Township should note that the rules require the governing body to forward the spending plan for review and approval via resolution. Furthermore, the existing Spending Plan only projected until 2018, now the round extends to 2025.

**Task 4.0 Meetings**

Maser Consulting will attend a maximum of four (4) meetings as requested by the Township to discuss the draft Vacant Land Assessment analysis and draft HEFSP. Maser Consulting will attend public hearings and meetings as requested by the Township to present the final HEFSP. This phase includes meeting preparation and coordination.

**Task 5.0 Additional Services**

The Township should note that the drafting of ordinances is specifically excluded from the scope of work above. If the Township requests the drafting of land use ordinances, they will be completed on an hourly basis under this task. Meetings beyond the four (4) included will be billed on an hourly basis. Additional services may be required beyond the scope outlined herein.

**Fee**

Maser Consulting’s work shall be invoiced on an hourly basis in accordance with the rates that are contained in the Schedule of Hourly Rates that is included in the professional services agreement between the Township and Maser Consulting P.A. The estimated fee is as follows:

Task 1.0 – 4.0	VLA, HEFSP, Spending Plan	\$ 15,500.00
Task 5.0	Additional Services	HOURLY

All work shall be invoiced in accordance with the terms and provisions of the agreement between the Township and Maser Consulting P.A. for professional services.

**Township Responsibilities**

The Township shall provide the following information to Maser Consulting:

1. List by block and lot of approved residential and non-residential applications that are presently under construction and the number of units and/or non-residential square footage to be built.
2. List by block and lot of approved residential and non-residential applications that have yet to commence construction and the number of units and/or non-residential square footage to be built.
3. Official Recreation and Open Space Inventory.
4. Information on the remaining capacity of the water and sewer facilities in the Township.

**Conclusion**

We want to thank the Township for providing the opportunity to perform this most important work. If you have any questions or clarifications regarding the scope of work, please do not hesitate to call our office.

4. Mayor White

Re: Mayor's Appointment

Date: September 7, 2015

**MAYOR'S APPOINTMENT**

**APPOINTMENT OF SPECIAL LAW ENFORCEMENT OFFICERS (CLASS ONE)**

In accordance with Article II, Section 2, (d) of the Township of Saddle Brook Administrative Code and N.J.S.A. 40A:14-146.8 et. seq., I, Robert D. White, Mayor of the Township of Saddle Brook, do hereby appoint the individuals so named below as Special Law Enforcement Officers (Class One) for the Township of Saddle Brook immediately and for a term which will expire on December 31, 2015.

**DAVID CHONG, 502 Sylvan Street Saddle Brook, NJ 07663**

**LAWRENCE DIBELLO, JR., 55 Bell Avenue Saddle Brook, NJ 07663**

**JESSICA SANCHEZ, 118 Rochelle Parkway Saddle Brook, NJ 07663**

**MAGDALENA WAPINSKA, 245 Fifth Street Saddle Brook, NJ 07663**

5. Thomas Lemanowicz, PE  
Remington Vernick  
Engineers

Re: 2015 Department of Public Works  
Salt Shed Project –  
Recommendation to Award

To: Peter Lo Dico, Twp. Clerk

Date: September 25, 2015

We have tabulated the bids received on Friday, September 25, 2015 with reference to the above-captioned project. The project consists of the construction of a salt storage shed at the Saddle Brook Department of Public Works facility as follows:

Base Bid

Construction of a 40 foot by 50 foot shed

Alternate Bid

Construction of a 40 foot by 60 foot shed

A copy of the bid tabulation is enclosed for your review.

The apparent low bidder in either Base or Alternate Bid scenarios appears to be Frank Semeraro Construction Co. Inc., 333 Ratzer Road, Wayne, NJ, 07470.









9. Thomas Lemanowicz, PE, Re: Proposal for Professional  
Remington Vernick Services for Cleaning and  
Engineers Televising of Storm Sewer, N. 5<sup>th</sup>  
Street to Rt. 46

To: Peter Lo Dico, Twp. Clerk Date: September 23, 2015

**REMINGTON, VERNICK & ARANGO ENGINEERS** is pleased to provide this Engineering Services proposal for the preparation of bidding documents for the cleaning and associated televising of the existing storm sewer starting at the west side of North 5<sup>th</sup> Street and approximately opposite of 122 North 5<sup>th</sup> Street, continuing for a distance of approximately 550 feet eastward to a vault, then continuing southward for a distance of approximately 200 feet to the existing vault in the Clayton Block storage yard, then continuing southward for a distance of approximately 300 feet to the existing vault that abuts the westbound side of State highway Route 46. The project will also include whatever maintenance of the existing drainage appurtenances that may be deemed necessary.

The engineering scope of services will include preparation of the bid documents, contract administration of the project, and periodic oversight of daily activities.

The specific Scope of Services, are as follows:

***Task 1 Preparation of Utility Mapping & Specifications for Public Bid***

- A. The tax maps show an easement for the subject storm drain. This office will contact the property owner's of record to discuss the project including, but not limited to access, equipment storage, etc.
- B. Design specifications will be prepared to publicly bid the cleaning, maintenance, and associated televising of the infrastructure including format for submission of inspection reports. Mapping will be based upon tax maps and aerial photography. No field survey is proposed under this scope.
- C. Prepare top slab designs for two (2) existing storm drainage vaults along the route of the work. The top slab designs will be capable of supporting a highway loading and will include a manhole opening. One vault does not currently have a top slab and the other vault has a top slab but it does not have a manhole opening. Without a manhole opening, a large piece of construction equipment is required to gain access to the vault.

***Task 2 Bid Phase Services***

Services will include providing specifications to perspective bidders, receipt and review of bids and recommendation of award. The responsibility in this phase ends upon presentation of bid results and award recommendation to the Township for consideration.

**Task 3. Construction Administration and Contract Administration**

- A. This office will schedule and chair a pre-construction meeting to which the effected property owners will be invited.
- B. This office will provide part-time construction observation during the pipe cleaning process to assess the progress and performance of the contractor.
- C. Following the cleaning of the pipe, the contractor will be required to perform a video inspection to verify satisfactory performance and to assess the system for the need of additional repair work. A representative of this office will witness the video inspection.
- D. This office will process payment requests.
- E. This office will prepare a letter report on the condition of the pipe run and offer recommendations on future work, if any.

**SUMMARY - COST OF SERVICES**

Engineering Costs:

Task 1 – Preparation of Mapping and Specifications	\$ 5,600.00
Task 2 – Bid Phase Services	\$ 1,500.00
Task 3 – Contract Administration	<u>\$ 5,500.00</u>
Engineering Sub-Total	\$12,600.00

**ESTIMATE OF CONSTRUCITON COSTS**

Based upon a recent project of a similar nature in nearby community, we estimate the construction cost for the project to be approximately \$100,000.00.

We await your written authorization to continue preparation of the required documents for bidding. Should you have any questions or require additional information, please do not hesitate to contact the undersigned at our Secaucus office.

**\* RAFFLES/APPLICATIONS**

**Raffle**

- 1. RA# 1226 – St. Philip the Apostle Church – 50/50

**Public Place**

- 2. Subway – 487 Market Street – RENEWAL

**\* REPORTS**

- 1. Municipal Court Monthly Report – August 2015
- 2. Hotel Room Tax Distribution – September 2015
- 3. DPW Monthly Report – August 2015
- 4. Fire Prevention Report – August 2015
- 5. Construction Code Official Monthly Report – May 2015
- 6. Construction Code Official Monthly Report – June 2015
- 7. Construction Code Official Monthly Report – July 2015
- 8. Construction Code Official Monthly Report – August 2015
- 9. Property Maintenance Monthly Report – May 2015
- 10. Property Maintenance Monthly Report – June 2015
- 11. Property Maintenance Monthly Report – July 2015
- 12. Property Maintenance Monthly Report – August 2015
- 13. Engineer’s Monthly Report – September 2015
- 14. Budget Status Report – September 2015

## **NEW BUSINESS**

Mr. Lo Dico noted that new business would now include items that were discussed in the work session on which the Council may wish to take action.

### **TOWNSHIP OF SADDLE BROOK RESOLUTION**

#### **CR# 1015-266**

**WHEREAS**, Global Protech, Rochelle Park, NJ 07662 has submitted a proposal dated August 18, 2015 for providing a TVI surveillance system at Veterans' Field at a cost of \$10,450.00; and

**WHEREAS**, the surveillance system is in the best interests of the Township of Saddle Brook,

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook that it hereby awards a contract to Global Protech as per the proposal submitted providing funds are available; and

**BE IT FURTHER RESOLVED**, that the Mayor and Township Clerk are authorized to sign said contract.

Motion: Councilwoman D'Arminio

Second: Councilman Camilleri

Councilman Cimiluca said he had requested more quotes or bids on this, and it had actually went out on RFP. He said the only reason he was hesitating was he wanted to see a price comparison between wireless and wired systems.

He said this seems like a good price for what we are getting, but he was hoping for something more solid to compare. He said he definitely wants this done and there is a walking route that gets kind of dark, this way it would be under constant surveillance.

Council President Mazzer said she did say it would be significantly higher, \$20 to \$25,000 [for wireless]. Councilman Cimiluca said it was not in writing. Mayor White said we did have it in writing at \$22,500 for wireless.

Councilwoman D'Arminio said her husband is security director of the BCUA and he prefers hard wire because when wireless goes down you have to reboot the whole system.

Roll Call:

Councilman Cimiluca - yes

Councilman Camilleri – yes

Councilwoman D'Arminio - yes

Councilman Accomando - absent

Council President Mazzer - yes

Mr. Lo Dico said he had not heard from the contractor, so reluctantly we have to cancel the contract with John Garcia Construction.

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 1015-267**

**WHEREAS**, the Township of Saddle Brook has previously awarded a bid for the 5<sup>th</sup> Street Water Main project to John Garcia Construction; and

**WHEREAS**, despite repeated efforts to have John Garcia Construction proceed to commence work on the project said company has failed to do so jeopardizing the favorable financing secured for the project through the Environmental Infrastructure Trust Fund; and

**WHEREAS**, it is in the best interests of the Township of Saddle Brook to cancel the award of the bid and project to John Garcia Construction and have the Township Engineer rebid said project;

**NOW THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Saddle Brook hereby authorizes the Township Engineer to rebid said project, and to cancel the award of the bid.

Motion: Councilman Cimiluca

Second: Councilwoman D'Arminio

Roll Call:

Councilman Cimiluca - yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio - yes  
Councilman Accomando - absent  
Council President Mazzer - yes

Mr. Lo Dico state the State requires we discuss best practices at a public meeting. He said the state issues 50 questions regarding policies and procedures and if you do not score above 80% the state can revoke 5% of state aid from the last quarter. He reported that the Township scored 94, and every year we have been going up 1 or 2 points. This will be submitted to the state next week.

Councilman Cimiluca said 94% is an A in his book.

Council President Mazzer asked for a motion to open the meeting to the public on agenda items only.

Motion: Councilwoman D'Arminio

Second: Councilman Camilleri

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer – yes

Hearing no one, Council President Mazzer asked for a motion to close the meeting to the public.

Motion: Councilwoman D'Arminio

Second: Councilman Camilleri

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer – yes

Councilwoman D'Arminio acknowledged Italian Heritage and Culture Month and thanked Mayor White for his proclamation to acknowledge National Breast Cancer Awareness Month.

Councilman Camilleri hoped everyone would stay safe during the coming storms.

Council President Mazzer asked for a motion to adjourn.

Motion: Councilwoman D'Arminio

Second: Councilman Camilleri

Councilman Cimiluca – yes  
Councilman Camilleri – yes  
Councilwoman D'Arminio – yes  
Councilman Accomando – absent  
Council President Mazzer – yes

Meeting adjourned at 8:45 PM

Respectfully submitted,

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Peter Lo Dico, R.M.C. CMC  
Township Clerk

Approved: November 5, 2015

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Florence Mazzer  
Council President