

The minutes of the regular Public Meeting of the Township Council of the Township of Saddle Brook held on April 6, 2017 at 7:00 PM at the Municipal Building, 93 Market Street, Saddle Brook, NJ.

Council President D'Arminio called the meeting to order.

The Township Clerk called the roll:

Councilman Cimiluca – absent until 7:02 PM
Councilwoman Mazzer - present
Councilman Camilleri – present
Councilman Accomando – present
Council President D'Arminio - present

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

Council President D'Arminio asked everyone to please rise for the salute to the flag.

Council President D'Arminio announced that adequate notice of this meeting has been sent to all Council members by police messenger on March 31, 2017 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.

Councilwoman Mazzer presented a resolution {CR# 417-99} honoring UNICO and congratulated the organization on celebrating 50 years of service in Saddle Brook. She and the other members of the Council read the resolution.

Mayor White congratulated UNICO and said their motto, *Service above self*, certainly applies to each and every member of the organization.

Councilwoman Mazzer asked current Chapter President Mr. Jerry Taylor to introduce the members in attendance. She thanked all of the members for their service.

Mayor White read a proclamation recognizing April as Autism Awareness Month.

*Proclamation
Office of the Mayor
In Recognition of
Autism Awareness Month*

WHEREAS, globally since 2008, Autism Awareness Day is April 2nd and is observed throughout the month. The day often features educational events for healthcare workers, teachers, parents and children with autism; and

WHEREAS, studies performed by the Center for Disease Control and Prevention have indicated that New Jersey has among the highest autism prevalence rates in the country; and

WHEREAS, more healthcare professionals are becoming proficient in diagnosing autism and the rates both nationally and locally are on the rise; and

WHEREAS, a variety of public and private organizations and agencies strive to provide quality care, support and services to children and adults with autism to help enable them to live as independently as possible and reach their full potential.

NOW, THEREFORE, on this 6th Day of April 2017, I Robert D. White, Mayor of the Township of Saddle Brook, do hereby proclaim April 2nd World Autism Awareness Day and April Autism Awareness Month in Saddle Brook. I urge all residents to become educated and informed about programs, services, and opportunities to help support individuals with autism.

The Mayor mentioned the Access for All Committee led by Councilman Cimiluca and announced the Committee has been very active in addressing the needs of the disabled members of our community. He thanked Councilman Cimiluca, Vice-Chairman James Maniscalco and all the members of the Committee. He said they would be providing an opportunity for residents with autism or other developmental disabilities to receive an ID card through the Bergen County Sheriff's Gold Star ID Program, which can provide first responders with vital medical data about the individual in the event of an emergency or when that individual is unable to provide that information themselves. This would take place on April 26th at 4:30 PM at the Senior Center. He thanked Sheriff Michael Saudino for his help with this program.

Council President D'Arminio asked for a motion to open the meeting to the public.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

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

Mr. Larry Ratajczak of 92 Claremont Avenue said this month would be the fifth month of the investigation of him, and he wondered when it would be wrapped up. Council President D'Arminio asked Mr. Suarez to respond. Mr. Suarez said there had been attempts to contact Mr. Ratajczak's attorney who had never gotten back to them.

Mr. Ratajczak said his attorney had instructed him not to cooperate with the investigation. He said he did not want this to go on for a year.

Mr. Suarez said that was the only hold up. Mr. Ratajczak said his attorney had been in contact and had sent a letter also. Mr. Suarez said they would go over the issue, and the Council wanted to move expeditiously. He said Mr. Ratajczak would be informed as soon as a decision is made.

Mr. Ratajczak asked if there has been a ruling whether firemen are allowed on the Zoning Board. Mr. Suarez said his initial impression was they were permitted. They are not employees; they are volunteers. Mr. Ratajczak said they are being compensated from the town. Mr. Suarez said LOSAP is a pension, and as a result they are not technically employees, they are volunteers.

Mr. Ratajczak asked the Council in general what criteria was used to pick Zoning Board members. Councilman Camilleri said a lot of them come on recommendations, and the Council discusses it. Council President D'Arminio said they look to see if they have been on the board before and what experience they have.

Mr. Ratajczak asked if attendance is taken into consideration for board members or appointees.

Mr. Suarez instructed the Council that they could answer these questions legally, but there are certain deliberative processes which they did not have to disclose. Mr. Ratajczak defended his question and asked again if they took attendance into consideration.

Council President D'Arminio said yes. Mr. Ratajczak said there was a member who had missed seven consecutive meetings last year and was re-appointed to the board and asked what attendance sheet they looked at. Council President D'Arminio said it's usually brought to their attention. Mr. Ratajczak said a person that misses seven meetings shows no interest.

Councilman Camilleri asked if Mr. Ratajczak was talking about an alternate, and Mr. Ratajczak said it did not matter, but yes. He said if you miss seven in a row you don't want to be on the board; you have no interest. Councilman Camilleri said that person would have to speak for himself on that. Mr. Ratajczak said the Council should have considered that, and they should do a better job and look into attendance and what's actually going on. He said when things are done out of spite and out of retaliation, this is what we wind up with. The deck had to be stacked in their favor. He said he would show them how they circumvented the Zoning Board and removed certain people and put certain people into certain places.

Mr. Ratajczak then asked should a member be allowed to serve on the Zoning Board that has violations against his properties.

Councilman Camilleri said personally he didn't think so, but he did not think this was really the place to talk about this issue.

Mr. Ratajczak said he thought this was the place. Councilman Camilleri suggested discussing it one and one, and Mr. Ratajczak said he did not think this should be done one on one.

Councilman Camilleri said Mr. Ratajczak makes an awful lot of accusations. Mr. Ratajczak said they were pretty substantiated accusations. He said the person should be suspended until it's decided on what's happening and repeated that all was done out of retaliation and out of spite. He said the Board is in disarray.

Mr. Ratajczak then asked how long we are going to let the sawhorse stay by the tree on Saddle River Road. Do we have a time limit when the homeowner can fix the sidewalk?

Mr. Lo Dico said the weather has not cooperated with pouring concrete. We've had a snowstorm and rain. Mr. Ratajczak said there's always excuses. You have to set a reasonable time limit. We had the warmest February or warmest March on record, so we can't use weather as an excuse. It's too months now. It should be taken care of in a reasonable amount of time. Thirty days should be a reasonable amount of time. It's a safety issue also.

Mr. Ratajczak mentioned abandoned buildings like Carucci's and asked when the town steps in. Mr. Lo Dico said we have. Mr. Ratajczak asked how long, and Mr. Lo Dico said we have stepped in. It's a process. Mr. Ratajczak asked again how long. Five, six years maybe? Mr. Lo Dico said probably longer. Mr. Ratajczak said there's still mustard on the tables in there. Sooner or later we have to set a date.

Mr. Lo Dico said we have been after the lien holder. Mr. Ratajczak said the town has not stepped in and we can't allow this to happen in the center of town.

Councilman Camilleri admonished Mr. Ratajczak for not allowing Mr. Lo Dico to finish his sentence. Mr. Ratajczak insisted five years was too long to wait and said he didn't care about lien holders. Councilman Camilleri said Mr. Ratajczak wants respect and the Council wants respect. Mr. Ratajczak said he would not want to be a neighbor there.

Mr. Lo Dico said the tax office has been pursuing the lien holder who has paid the taxes on the property and is now going to court to take possession of the property. Mr. Ratajczak asked if it should take five years. Mr. Lo Dico said it takes a while. Mr. Ratajczak said it's a health issue, and there's animals in there. Mr. Lo Dico said there is no health issue.

Mr. Ratajczak said sooner or later you have to take action. You can't just let things sit there or else we'll have another Amloid on our hands. Amloid is going on twelve years now that it's like that.

Mr. Ratajczak then mentioned the hotel on Pehle Avenue and asked how many businesses are running out of there. He said you have a hotel, you have an ambulance company, a bus company, a car transportation company and garbage all over the place. That place is disgusting. How do we allow this to happen?

Councilman Camilleri mentioned the tractor trailers, and Mr. Ratajczak asked if that many businesses run out of one location. Councilman Camilleri said we have to investigate that. Mr. Lo Dico said the construction code official has been notified of the ambulance business and is taking steps.

Mr. Ratajczak mentioned the garbage again and said he would not want to stay at a hotel like that. He said he didn't think it was good for us on a main drag, seeing all that stuff there like that. We have to step up the enforcement because we're not doing any of it. The town is deteriorating. He mentioned Midland Avenue and the brand new Quick Chek and brand new storage venue and asked how many tractor trailers are back there. He said they pull out onto Midland Avenue, and it's all mud and dirt now because it's a dirt road. Councilman Camilleri asked what tractor trailers, and Mr. Ratajczak said there are tractor trailers parked in the back there next to the storage facility from Enterprise Corrugated down to Quick Chek. They're parking on dirt, there's diesel fuel, there's oil leaking, it's an environmental problem. It's not a paved road. They pull out onto Midland Avenue, and there's all mud there every day now. He asked if they were there legally and asked what we look at when we're riding around in town. He said there's at least 40 tractor trailers there.

Councilman Camilleri asked if these were the UPS trailers, and Mr. Ratajczak said no. He said they're all illegal businesses back there, there's boats back there, RVs, everything right against the railroad track. The construction code official should look. If he's overworked we need to hire somebody to help him.

Mr. Ratajczak asked whose responsibility was the sidewalk on Saddle River Road. Councilman Camilleri said the homeowner. Mr. Ratajczak asked if there was anybody living in that house where the tree fell. Councilman Camilleri said he believed so.

Mr. Ratajczak asked about Senior Housing. Council President D'Arminio said we're out to bid on demolition. Mr. Ratajczak asked if we had a starting date yet. Councilman Camilleri said he thought Mr. Biale had said the starting date would probably be a few months.

Mr. Ratajczak asked about Veterans' Field. Council President D'Arminio deferred to Mr. Suarez who said that matter is presently not in litigation, but he and Mr. Lemanowicz have been pushing the representative from the company that's supposed to be estimating the work to move on it, and we have recently received correspondence from an attorney for the surety. We're trying to avoid litigation and rebidding because we think that would take even longer, so we have been trying to get the gentlemen we had prior meetings with to get this process closed up as soon as possible.

Mr. Ratajczak asked if this was the old contractor or the new contractor. Mr. Suarez said this is an official that is coming in through the surety. He's an estimator or appraiser. The contractor has been thrown off the job. Mr. Ratajczak asked about hiring someone. Mr. Suarez said he did not want to reveal in open session too much of our potential litigation strategy, but that is an alternative. The only problem is that that might take even longer because then Mr. Lemanowicz would have to prepare bid specifications, we would have to go out to bid again, and we would

have to award another bid. That would take way too long, so we're trying to avoid that situation in working through the people who are actually saying they're going to do it.

Mr. Lemanowicz explained that the surety company basically doesn't want to take money out of their own pocket. They're trying to work out the best way to get the project done, so they are hunting around for contractors.

Mr. Ratajczak asked if the contractor who went bankrupt already received money. Mr. Suarez asked if they had gone bankrupt, and Mr. Lemanowicz said no. Mr. Ratajczak asked if he had just walked off the job. Mr. Suarez said we don't know exactly what the issue was. Mr. Ratajczak asked if he got money from us. Mr. Suarez said he believed he was paid to some degree. Mr. Lemanowicz said he believed there was one payment. Mr. Ratajczak asked if we were going to try to get that money back from him. Mr. Suarez said apparently we paid him for work that was done. He's off the job, he's thrown off. The holdup is getting the surety to have a contractor that's going to do the work. They're still trying to get contractors to do it for a cheaper price.

Mr. Ratajczak asked how long that's going to take. Mr. Suarez said he couldn't tell. They're working very hard trying to get this done. Obviously we can't make magic happen, but we're trying to get this done because we know of the urgency with the season and avoiding too much expense in the Township by going through all these other avenues and trying to focus on who we have there now, which is the person who was hired by the surety who is supposed to get this done and trying to put more pressure on him. He said again he did not want to go too much into the litigation issue because there is potential litigation involved here.

Mr. Ratajczak asked if we wanted this guy to do the work. Mr. Suarez said he's not doing the work, he's an estimator to get a contractor to come in and do the work.

Mr. Lemanowicz explained the bonding process to Mr. Ratajczak.

Mr. Ratajczak said we don't know who we're getting as a contractor. Mr. Lemanowicz said that was correct, the surety chooses the contractor.

Mr. Ratajczak asked about #10 in Applications, 16 Pehle Avenue and stated the limit is three vehicles. He asked how many vehicles were there and said there were over 50 cars there. Mr. Lo Dico said the construction code official took care of it. Mr. Ratajczak said there's still more than three vehicles there. Mr. Lo Dico said he's also on top of that.

Mr. Ratajczak asked when someone is in violation, is there a penalty that we impose on them every single day that they fail to comply. He suggested imposing a \$500 per day fine or something like that and said we have no enforcement at all in anything that we do. Nobody is afraid of us. The guy should be given summonses starting that day, and that's it. You've got 48 hours to remove the cars, that's it. If not, it's \$500 a day. Start cracking the whip and you won't have properties looking like this, but you let people just walk – like this contractor too. The guy walks off the job, you hire somebody else. Veteran's field is under construction since the previous administration.

Councilman Camilleri said our engineer just went through the process. Mr. Ratajczak said he was talking about the hotel, the gas station there, Carucci's property, the guy with the tree. It goes on forever, and what happens is it turns into Amlold, and then you have a 15-year headache on your hands. You have them all over town now. He mentioned a house on the end of Hayes Drive that Councilman Cimiluca tried for years to get it knocked down. It took years and years and years. The guy walked away. Animals are living in it. You've got to knock it down; you can't leave it there.

Councilman Camilleri asked at whose cost? Mr. Ratajczak said the town's got to do it. The town's got to put a lien on the property. He asked if Councilman Camilleri would take that property for the cost of knocking the house down. I would take that property on the corner of Hayes drive for the cost of knocking it down. Same thing

with Carucci's. There comes a point where you've got to knock it down. You can't leave it there. You've got to knock it down.

Ms. Nancy Murray of Pine Avenue identified herself as the Vice Chairman of the Zoning Board of Adjustment and said the Board is not in disarray. She said she took it as an affront for someone to stand up here and say that the board is in disarray. She discussed her qualifications for serving on the board and said she had suggested there should be a list where someone can put in a resume if they would like to serve.

Mr. Omar Rodriguez of 275 Madison Avenue said he had a few questions about the hybrid re-assessment program. He asked through the chair if any Board of Ed member may serve on the Planning Board. Council President D'Arminio said we discussed this at the last meeting.

Mr. Rodriguez said he had a legal brief from when he was sitting up there and he would challenge anyone. He said he wanted to hear now on the record when it comes to Board of Ed because these came before, and he would like to have on the record through the chair a legal opinion if a Board of Ed member can serve in either the Zoning Board or Planning Board or neither one. He repeated he would like to have that on the record because he had a legal brief that was given to him about Board of Ed members serving on both boards. He said if they needed time to research, he was willing to wait.

Mr. Suarez said yes, he had gone over it at the last meeting that on the Planning Board there is a specific exception that allows a Board of Ed member to serve on the Planning Board, but there are certain requirements. Council President D'Arminio asked if we could get the exact information. Mr. Suarez said yes.

Mr. Rodriguez said he was asking because he had a legal brief on that, and he was willing to wait another month. He said he didn't know if the law changed, but he wanted to make sure that both boards and the Council and the Mayor were protected in case of any lawsuits because if any other members that are seen there are a voting member, all rulings that either board have made will be null and void.

Mr. Suarez said on the Zoning Board there is not supposed to be any officials of the town. On the Planning Board there is an exception that allows a Zoning Board member to be on the Planning Board, but you have to have certain criteria met.

Mr. Lemanowicz read statute 40:55d-23a regarding the inclusion of a member of the environmental commission on the Planning Board under certain circumstances.

Mr. Rodriguez said he was familiar with what Mr. Lemanowicz read, but it's not the essence of this question. He asked through the chair if they could get a legal opinion of a Board of Ed member being able to serve either on the Zoning Board or Planning Board. He mentioned again that he had a legal brief and wanted to know if the law had been updated. He said a part time employee can serve on the Zoning Board. If there's any challenges to that, he was willing to debate. Any part time employee can serve on the Zoning Board.

Mr. Rodriguez said every street is getting more and more in disrepair. He reminded the Council and the Mayor that several years ago we passed an ordinance in town that says any utility company that opened that street for any type of work they have to pave it like new. That is on the books. So we just need to enforce it. Council President D'Arminio said it has been.

Mr. Rodriguez said some of these roads are very bad right now. He asked if there was a time frame because PSE&G has a lot of commitments with different towns, but we have to be on top of it before the season is over.

Mr. Rodriguez said the sign outside of Town Hall is very bright, and it looks good. He asked if any business in town asked to install one of those would it be permitted and expressed concern that that every business would want one. He said especially under sunny conditions, the lights of those signs might impair the vision of one of the drivers, and if it's an accident to happen we might open ourselves for

liabilities. He said at night when you pass by, some of the messages are kind of long. People try to read them while they're driving. He asked if the town would be liable if the sign distracted a driver who had an accident and worried if any business wanted to install one, would it be approved because we have set the example.

Councilman Camilleri said we are the municipal complex, we're not a business. So you're comparing our municipal complex to businesses on Market Street. We're two different things. The other thing is with the paving project, I thank you very much for bringing that to light, but we all knew that, and we had so many streets paved curb to curb last year. So we didn't just let things slip through the cracks. We got quite a few roads paved, curb to curb.

Mr. Suarez said being that it's municipal property they are not required to be in compliance with regard to the zoning regulations. There's no precedent that set for other businesses to go ahead and do that.

Mr. Rodriguez said we might be a municipal complex, but if we are going to set an example, that's fine, but then can you or anyone tell me that if an accident happened, that sign is not to be blamed? Councilman Accomando said who's to say the person isn't texting? If someone is texting in the Township of Saddle Brook is it our responsibility because they're being too ignorant to pay attention to the road? It's the same exact thing. If I'm driving down my street and I'm texting and I get into an accident, is it the town's fault?

Mr. Rodriguez said he agrees about texting, but he was talking about the sign itself. Councilman Camilleri said if you're driving your car, you have the responsibility to look at the road.

Mr. Rodriguez asked Mr. Suarez through the chair what is the purpose of the sign when you put letters or a message for drivers to read it? You're forcing them to read it. You're giving them a message.

Councilman Camilleri said what about the people that go by on a bus? What about people who walk by? What about people who go by on bicycles? What about passengers in the cars? It's not out there to say hey, driver, you've got to read this sign.

Mr. Rodriguez said through the chair he was just questioning the purpose is to read it, so enticing the drivers to read something while they're driving... He said I'm not an attorney. I'm just asking the question, will that put a liability to the town? No? I don't know. I'm just asking that question. I'm not an attorney.

Mr. Rodriguez then said the agenda was not posted and wondered why it was not on line. Mr. Lo Dico said it was posted. Mr. Rodriguez asked what time. Mr. Lo Dico said it was posted before the meeting. Mr. Rodriguez said before the meeting could be a minute before or five minutes before. Mr. Lo Dico said he usually sends it 4:30 or 5:00 PM. Mr. Rodriguez said two hours before a meeting? No comments on that. Okay.

Mr. Rodriguez asked about where it says authorize the mayor to sign the contract with the Blue Collar, White Collar and Crossing Guards. He asked what the percentage is for the Blue Collar and what is the end result of the contract on the Blue Collar. Did we give them any pay increase?

Mr. Lo Dico and Council President D'Arminio said yes. Mr. Lo Dico said, 2%, 2%, 1.75% and 1.75% for all the employees. The police, DPW, White Collar.

Councilman Accomando said they were asking for 16% over four years, so we drastically reduced it.

Mr. Rodriguez asked if it was retroactive, and Mr. Lo Dico said when the contract expires some are retroactive, yes.

Mr. Rodriguez noted some of the amounts for tax appeals on the resolutions and said two companies amounted to seven hundred thousand dollars. He asked if we were bonding.

Council President D'Arminio said yes. We're going to have to.

Mr. Rodriguez said you haven't bonded yet and already we're approving the tax appeal. But the money is not there? Council President D'Arminio said we have money there.

Mr. Lo Dico said we have done this before. When we have major tax appeals we will go before the Local Finance Board for a seven-year emergency for the total dollars of the refunds. But we have to have the approvals in place before we can go to the state.

Mr. Rodriguez said it's a little unorthodox. Usually you get your approval first from the Local Finance Board, and then you approve the tax appeals because you have to make sure there is approval and the money is going to be there and you have to know how much you're going to bond. Last year we bonded millions of dollars to pay some of the tax settlements, and I was just wondering if you got a number, but I guess you don't have a number for bonding. I guess, because you're just going to go the first step going to the finance board, so you don't have an amount that you're going to bond, or do you have an amount?

Council President D'Arminio said we do have an amount. Mr. Rodriguez asked what the amount was. He said you have bond the amount of tax appeals plus plus plus. Do you have an amount?

Mr. Lo Dico said this isn't bonding. It's an emergency appropriation. Mr. Rodriguez said you're not going to go for bonding then? Mr. Lo Dico said we're going for the five-year or seven-year payout like we've done in previous years. That's why we're going before a Local Finance Board, as other towns do, to spread it out over hopefully a seven-year period. It's not a 20- or 25-year bond ordinance.

Mr. Rodriguez said seven years, what kind of program are you going to take for the finance board in order to pay this? What kind of program are you going to use if it's not bonding?

Mr. Lo Dico asked for clarification, and Mr. Rodriguez said if it's not bonding what type of program are you going to use? Mr. Lo Dico said it's called a five-year or seven-year emergency. We've done this for sick time. It's totally different from bonding.

Mr. Rodriguez said if you're going to do that every year you're going to have to have it as a fixed item in your budget. Mr. Lo Dico said yes, as we've done before. Mr. Rodriguez said next time I see a budget I will have to find the exact amount. Do we have a total amount?

Mr. Lo Dico said approximately \$3 million, and that will settle all tax appeals. Mr. Rodriguez asked up to 2015 or 2016? Mr. Lo Dico said 2016.

Mr. Rodriguez referenced ordinance 1619-17 and asked if the water rate is going to go up and by how much.

Mr. Lo Dico explained that we received an increase from Suez. They went to the Board of Public Utilities for an increase of 11%. The town was notified of the increase, and we sent our opposition to the increase. We found out that the increase went into effect. It's an 11% increase, and we're passing that along.

Mr. Rodriguez asked if it was retroactive. Mr. Lo Dico said it was as of March 1st.

Mr. Rodriguez advised the Council that to investigate and to litigate or sue one of the current members of the Zoning Board is uncalled for. It's a lose/lose situation for the town. The attorneys are being paid by the taxpayers for whatever amount, \$5000. That is the limit you supposedly set up, however, we have to pay also for

the attorneys of the defendant. That attorney might cost us between \$15,000 to \$50,000. Who is going to pay for that? Taxpayers. What are we getting out of this? Why are we doing this? He said at the end of the day we are opening ourselves for liability. The taxpayers will have to foot the bill. It might cost us hundreds of thousands of dollars. Who's going to pay? The taxpayers. He warned the council that it might end up costing them out of their own pockets for fees a jury might award this person and he wanted them to be aware of that.

Mr. Rodriguez then mentioned the hybrid re-assessment program and said we have been talking about this for more than a year back and forth, and at the end of the day I want to give you a heads up. Through the chair he asked the Mayor and Council if any of them had been on the first draft of this 25% that this company is doing the hybrid re-assessment. Has any of the council members or mayor received a notice?

Councilman Cimiluca said the first go around is 100% of the town. The next year will be 25%, and for four years it's 25%, so it's a five year program. He said yes, they have come to my house, and I did let them in, and they did appraise my house.

Mr. Rodriguez said originally it was going to be 25, 25, 25 and the last one 100% but now it's going to be this way. Council President D'Arminio said it was never going to be that way, it was always 100%.

Mr. Rodriguez said when it was debated at the very beginning, but that's the least of the problems. The problems start right here. The reason why this program has been instituted was to be protected against these tax liens that we see here tonight. That was the main reason, correct? Everybody is in agreement on that?

Mr. Rodriguez said in the last few years the market has crashed, and residential properties have gone down on property values. Prior to these hybrid re-assessment programs, it was 60% of the total amount of taxes in the town of Saddle Brook being paid by commercial and industrial. Residential was paying the rest. The reason why the Mayor and Council decided to go along with this new program is because it was a way to put a stop to the many, many claims that the commercial and industrial properties were filing against the town.

Mr. Rodriguez explained that the appraisal company went to most of the homes and placed stickers saying if you agreed with their assessment you didn't have to do anything else. Then residents received letters saying the company needed access to their homes, and this was because of too many complaints to elected officials about the company just leaving stickers. He said they now began adding \$25,000-\$30,000-\$35,000 more on the assessment of properties. He explained the appraiser who came to his home assessed a basement and two floors in two minutes, and nothing changed on his assessment. He asked for an explanation as to what the purpose of letting them in was, if the assessment did not change.

Mr. Rodriguez then mentioned the issue of temporary COs being issued and said these people found a loophole, and they should be paying their fair share of taxes. He said the Council should be working on that part of the legislation. He then said his understanding was this was going to stop the appeals from commercial and industrial, which he has nothing against.

Council President D'Arminio admonished Mr. Rodriguez to speak through the chair. Mr. Rodriguez said if all the assessment values are going up on the residential, it means that industrial that was paying 60% will pay less, residential will go more, but the market trend tells you the commercial and industrial has been going up at a faster pace than residential, which is just picking up now. What you gave us as medicine to the homeowners is going to end up costing us more because now we're going to pick up more of the pie chart. By increasing the assessment value of each house, means that this percentage will be a bigger portion that the homeowners will be paying against what the commercial and industrial. He said this program is not going to work for the homeowners and cited Chapter 91 which favors the commercial landowner.

Councilman Cimiluca said he was a little confused and said residents might be confused also. He asked for clarification that the appraiser did a 2-minute inspection on Mr. Rodriguez's home and the assessment didn't change.

Mr. Rodriguez said yes and that they told him nobody is going to change. Nothing is going to change. He said he was frustrated at having lost 2 to 3 hours of work, and had he known, he would not have called for an appointment.

Councilman Cimiluca said he thought Mr. Rodriguez also said that all the residential values were going up but his didn't. Mr. Rodriguez said his assessment went up. He explained that he was told after the inspection his assessment might go down, and two weeks later he received another letter saying it remained the same. He then asked what the current tax rate was.

Mr. Lo Dico said we don't have figures for this year, but based on 2016 –

Mr. Rodriguez said he was asking for just municipal. He said you should have it. That's the only rate that you control.

Mr. Lo Dico said last year we went from \$2.85 to \$2.50. That's the approximate number, the 2016 total tax rate. He said he did not have this year off-hand and was only comparing last year, the new numbers from the re-assessment.

Mr. Rodriguez said there are five different taxes on your tax bill, but there's just one that concerns you which is the municipal tax. I'm not asking about how much the properties are going to go up, I'm just asking about the tax rate through the municipality. You should have it by now.

Mr. Lo Dico said we have a 1 tax-point increase.

Councilman Cimiluca asked what the size of the pie was that Mr. Rodriguez had shown. Mr. Rodriguez said the size of the pie is the total amount of the taxes that the town needs in order to run the business to pay health insurance, pension, salaries, wages, OE. No matter what the assessment, that will never be increased. That amount will always be the same. The only thing that changes with a hybrid re-assessment, or in the revaluation the only thing that changes is actually the portion of the percentage. Who pays more? Commercial and industrial or the homeowners? At one point a few years ago the homeowners were marking almost all the taxes, but then the market crashed, and throughout the years even though the commercial and industrial – we were having a depression, the industrial and commercial started coming up, and it's been steady for the last few years. The commercial and industrial in every single community has been higher than residential because those are cycles of the market. Nowadays, I don't perceive it, how are the homeowners going to get up most of the percentage of the bill? When actually we are going all these programs just to protect ourselves against the lawsuits and appeals from commercial and industrial landowners.

Councilman Cimiluca asked isn't the pie the amount of ratables in the town, the total amount of ratables? Then there would be a percentage of ratables being residential and a percentage of ratables being commercial. So in your example, if the amount of ratables in the residential go up, the percentage goes up, but that's only assuming that the total amount of ratables stays the same. The pie stays the same, but if the ratables that are associated with the residential go up then the percentage would be higher, but the pie increases, and you're just assuming that the industrial or commercial part, the assessments for commercial and industrial do not go up. So is it fair the way you're slicing that pie, so to speak?

Mr. Rodriguez said industrial and commercial cannot go up because once again the company, Appraisal Systems, that has been hired to do the job, they don't go inside commercial and industrial as the members in the past made us believe that they were going to go inside. They don't go inside those properties. If I'm wrong, prove to me that I'm wrong.

Councilman Cimiluca asked why a commercial property can't go up in value. He offered as an example the property next to Quick Check and asked if Mr.

Rodriguez agreed that it was vacant land and it was appraised as vacant land. Now it's got a storage facility soon to be operating, and he would assume would be generating a decent amount of revenue. So wouldn't the appraised value of that piece of property go up and go up exponentially probably?

Mr. Rodriguez said that's a good example but that's one of the few examples that you can see in town because there hasn't been that much development in town lately. He offered Market Street as an example and said development comes with a lot of units – whoo, great! We must check every new business that comes in town. We're going to create this amount of ratables – Wow! Great! We receive a check. What happened? What every single developer or commercial industrial does. They wait for a few years, and they file their tax appeals from the date that they move in, and they will win, every time. How much do we return? Not once, not twice but how many times we have returned?

Councilman Cimiluca mentioned Ed's Tavern across the street and asked do you think the appraised value of Ed's Tavern, being a 90- or 95-year old one-floor tavern is going to be more or equal to the new development that's going to have multiple commercial uses and some residential uses?

Mr. Rodriguez said they bought land and homes – Councilman Cimiluca corrected that it was one home. Mr. Rodriguez said when you have a complex like that, it's good for the town. It will pay X amount of dollars, and I can bet my head five years later no matter what they start paying, five years later they will file a tax appeal from the day that they move in, and the town will have to reimburse them. Why? Because once again there is no company right now that is going inside commercial or industrial properties, just homeowners. So we are just doing business with a commercial and industrial community, namely based on a chapter 91 which is a piece of paper signed by them saying I made this amount of money, I have this amount of employees, I'm losing money, so I'm not going to pay you that much taxes. Thank you all.

Mr. Rodriguez left at this time.

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

Motion: Councilwoman Mazzer

Second: Councilman Camilleri

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Camilleri - yes

Councilman Accomando - yes

Council President D'Arminio – yes

Comments

Councilman Cimiluca thanked the Mayor again for appointing him as the Chairman of the Access for All Committee. He showed the new Access for All logo chosen by the committee and described its symbolism. He thanked all the committee members and Christine Genuario for her help, as well as Mark Davis, who worked on the printing.

Councilman Cimiluca mentioned resolution #1 {CR# 417-82} urging the legislature to reduce local affordable housing burdens and provide defined rules and relief in providing them. He said small towns like ours are worried about the affordable housing obligations, which are kind of at the whim of the courts sometimes. He explained the history of the Mount Laurel case, which resulted in towns having to provide a certain amount of low-income housing based on the community. There are certain housing activists that have taken that and have really abused it. He explained the builder's remedy and said a lot of towns cannot afford it. He spoke about bills that will make it the legislature's job to determine the affordable housing ratio and the amount that any town would have. We've been doing this dance for a long time, and this would take it out of the court's hands and make it a legislative

issue. We vote for legislators, just like people voted for us. Hopefully we're doing a good job, and we listen to what the townspeople say, and we act in their best interests. At the county and state level, we hope that our state representatives will be acting in our best interests, and we'd like them to decide on these obligations as opposed to unelected judges to make a decision based on their ideological principles. Hopefully these bills will pass. It involves a study, a commission, and eventually we can take it away from the courts and put it with the legislature so we have a clear definition of what we need to give to the town. We've been dealing with this for a long time; all towns are, and certain towns just can't afford it, and they are ramming it town the town's throat and it's really not fair.

He said we got a shout out in the paper that we are one of the towns considering passing this. We are one of the first towns to go along with this and show our support.

Councilman Cimiluca mentioned a program for dialing #77 on your phone and explained if you see a driver who is texting or appears to be utilizing a mobile device while driving, you can call #77. Don't do it while you're driving! Pull over, get the person's license plate, and what they're going to do is have this set up so it gets reported, and that person will be getting a stern letter saying hey, we saw you, and they will know there's a little bit of a Big Brother out there that's looking at this. Obviously if the police or law enforcement official sees that they will give them a ticket, and the tickets for a first offense is \$200 to \$400, and the second is \$400 to \$600. The third offense is \$600 to \$800 and 3 points and up to a 90-day license suspension. It's a big time violation because as they say the amount of people that die every year is rapidly rising due to distracted driving. We did get a \$5500 grant. That grant is for enforcement; it might pay for some police overtime.

Councilwoman Mazzer congratulated UNICO for their 50 years of service. She then expressed her shock that someone would object to a fireman being a member of the Zoning Board or Planning Board and said she thought it would be nothing but instrumental to have one of our volunteer fireman on the board.

Councilwoman Mazzer thanked Ms. Murray for being a diligent member of the board.

With regard to the road improvement program Council President D'Arminio said Mr. Lemanowicz has put together a two-year program which we will begin now. Ten roads will be done, and we will break it down, five this year and five next year. We went through the town and determined which roads – they all need to be done but which was the worst of the worst and how to begin.

Council President D'Arminio said we are doing Phase II from the Community Development grant that we got on the Leswing Avenue area, and that is for drainage. Unfortunately the community funding development program was cut. We do have a resolution #37 – {CR# 417-118} where we are opposing the federal cuts. We did well the last two years from Community Development. The first year we received \$60,000, and the second year we received \$101,000. So it really helps the town out. Unfortunately they have cut it, and we are going to oppose it and see what that will do.

Council President D'Arminio mentioned the Community Partnership and said she has a friend who is not capable of shoveling her snow. The last snow storm we had, she was panicked because she couldn't get anybody and at 4 o'clock the partnership volunteers from the high school showed up, snow blowers, shovels. I can't tell you how grateful she was. She commended the partnership and said one of the seniors needed a ride from the hospital and there are volunteers with community partnership that will come out and help if you need something. She commended the mayor and said it's a wonderful program and residents should contact the mayor's office if they have a problem.

Councilman Camilleri thanked everyone in UNICO. He mentioned Autism awareness month and said it's very important we become aware of autism and do our best to help all the kids and everybody involved with that.

He wished everyone happy holidays for April and Happy Easter. He said people come up here just to spread the negativity and say everything that we do is wrong, but I speak for myself with the taxes. Taxes are a big issue. Nobody likes paying taxes, but it is a necessity, and we do work very well up here to keep them to a minimum. The program we do have in place, I don't think was presented the way it's really presented. We're trying to keep it at 100% assessment, just so that we can't have these huge commercial tax appeals, and those are the ones that really hurt us.

Mayor White commended the Council and said we have members of the public that come up, and they have comments, and they can say anything they want. We can't restrict them from saying anything they want, but I personally don't like the back and forth questioning, and this is not a Town Hall style meeting. I don't feel that we have to respond to every question that's asked. They can question things. I just don't think it's the right forum to do that. We can respond if there's something said in our comments like I'm going to do now, if there's a specific question that's easily answered, yes, but I want them to know, these individuals that come up. And yes, sometimes they're negative. Sometimes they come up with some very good ideas as well, but I would rather, personally, if they have a problem or they want to debate something, come into my office. I'm here most every day. I'll talk about it if they want. I'll put it in writing. I'll even respond in writing to them, but this is not the right forum. It's too difficult, and I think sometimes the audience and certainly the public at home, they're not getting – they're not totally understanding what's even going on. Personally I'm going to try to refrain from getting into a back and forth banter with anyone, and that's why I kept my comments to myself. Some of the things I obviously disagreed with, and some of them I'm going to go through now real quickly. Regarding Mr. Ratajczak all the things that he said regarding construction code official and some of the violations or things that appear to be violations, are all being looked into, as Mr. Lo Dico said.

Regarding North Midland Avenue by Island Container, the Mayor said that property is set back. I live in that area. I have not noticed it, but that will be relayed to our property maintenance for our building inspector to look into.

He said regarding the home on Saddle River Road and Rochelle Parkway, we have looked into that. The tree that everyone is concerned about that's leaning over has been deemed to be healthy by an arborist from the county. The sidewalk is another problem because it's up in the air; it's a hazard. What's doing to end up happening is to fix the sidewalk they're going to have to cut the roots, and then the tree is going to be coming out. So maybe at some time or another that tree probably will have to be removed. But there are some extenuating circumstances. It is the homeowners' responsibility, but we are looking into that, and the town may have to get involved with that and take some action regarding that tree and the sidewalk.

Mayor White said to say there is no enforcement at all is totally incorrect. That's not a correct statement. I do believe we could use a little help. The building department with some property maintenance. Maybe somebody part time, and we are considering that. We do have an ordinance regarding abandoned properties that was passed when my administration first took over, so we do look at these buildings, but legally it's difficult. We are on top of it as much as we can along with our building inspector.

Regarding the sign, the Mayor said the benefits outweigh the drawbacks. There are hazards – there's always people or signs. You have to be in control of your vehicle, and as Councilman Camilleri said there are people on buses, there are pedestrians, people on bicycles, people stopped in traffic, especially when they're going eastbound, it's backed up all that way. I understand. He has a point, but again I think the benefits outweigh the drawbacks.

Mayor White said the statement about the real estate values going down totally false. I don't believe Mr. Rodriguez is saying that because he's lying, he's just not advised properly because if you ask any realtor in town, the real estate values are going up and houses – what I was told is they're flying. It's a sellers' market right now. So that's completely false. The temporary CO that he said, that has been

looked into. We've spoken to the building department about that. We've been told with a pie chart by the tax assessor that as far as that pie goes, the commercial properties are going to be paying a higher percentage, and the residential a lower percentage. Not by much but by enough.

The Mayor apologized that the telephone lines at Town Hall have been down since yesterday morning, and explained apparently there was a major outage by Verizon affecting five states. There was an explosion in a manhole in NYC and there was a fire so they're really going crazy. We're hearing everything should be back up hopefully by tomorrow morning. The police department and 911 is operational, so there's no problem if you have an emergency you can call the police department.

Mayor White said we introduced the budget last month, and it's now being reviewed by the state. We have an increase of 1%, \$34.43 on the municipal side alone for a house with an average assessment of \$328,000 and change. We're having a public hearing next month at our Council meeting on May 4th. One good thing, we are paying off leases early on two town vehicles, and it's going to save the town a little over \$15,000.

The Mayor said he had been discussing the crane ordinance with the Council and the building department and the engineer. Some of the towns in our area – north Arlington just passed an ordinance and also some Hudson County towns as well. He said it's a matter of public safety in any densely populated area like ours here in Saddle Brook, I think the cranes should be regulated. We're working to simplify language and make it not overly burdensome on the town, on the building inspector. The primary thing is to ensure the cranes are registered, that they're inspected by someone, by an authority and that they're ensured and the operator has some kind of license and is certified to operate the crane.

Mayor White mentioned the ordinance regarding fees on building permits and said this was initiated as a result of complaints from our building department, Zoning Board members and professionals that work with both the Zoning and Planning Board. We received input from the council, both boards and their professionals. I would like to see that passed on first reading.

He added there are resolutions supporting the full funding of the community development block grants that CPA talked about as well as a proposal to oppose MS-4 draft renewal permit and to support Valley Hospital relocating to Paramus.

Regarding the Community Block Development grants, Mayor White agreed with Council President D'Arminio in recommending the Council vote to support full funding of the Community Block Grant program. Over the years we have gotten a lot of money. For over 40 years this program has been in existence, and it's really helped us and municipalities and non-profit organizations. Some of the things in the past that we benefitted from, the purchase and many improvements of our senior citizen center, the purchase of our senior bus, it helps pay salaries of some of our senior center employees, we've installed barrier free curbs and doors here at Town Hall, at the schools, various drainage improvement projects to prevent flooding, the most recent one on Leswing avenue, the installation of an elevator at the Saddle Brook VFW and many county programs but the biggest one is Meals on Wheels which will not be funded, which many of our town residents take part in that and benefit from Meals on Wheels. He asked the Council to support him on that in our effort to ask President Trump and members of the US Congress to fund the Community Block Development grant program.

Mayor White said there are ten streets identified as being in the most need. We're hoping to do all of them in two years. We have about \$3 million that we're going to bond for that over two years. Very good news, we received notice just today from the Bergen County DPW that they will be milling and paving Market Street some time in the next 30 to 60 days, and they say it's going to take about two weeks – from the Elmwood Park border to the Rochelle Park border.

Mayor White congratulated the Spirit Leaders who competed in the national competition in Boston two weekends ago and the minis and seniors took first place and the juniors took second. He noted the Saddle Brook High School Choraliers

had a performance this past Monday at the senior center. It was a great performance. He thanked everyone involved in organizing that including Senior Center Director Joe Lecce and Council President D'Arminio as well as Middle School Principal John Lawlor and band director Frank Ortega and Howard Weinberg, community partnership coordinator.

Regarding the partnership, he said residents can call his office and also on the website there is a link where they can read the information and that will get forwarded to his secretary.

Mayor White concluded by mentioning the upcoming Easter Celebration this Saturday in the high school gym from noon to 2:00 PM, residents only. He said we have the food drive which is part of the Community Partnership and the Township working together with the First Reformed Church who have a food pantry from April 3rd to June 5th. There are boxes at different locations all over town, and there's a list of different items that are needed, you can find that on the website or on the television. Saddle Brook Volunteer Ambulance Corps has their annual Fish and Chips dinner on Friday April 14th at the VFW in Saddle Brook, tickets are \$13. Our paper shredding is May 6th this year and will be held behind Coolidge School 9:00 AM to 1:00 PM at 540 Saddle River Road. Earth Day is Saturday April 22nd, the Mayor's Youth Group is planning a planting and clean up at Avon Park in the morning. In the afternoon there's going to be a dedication ceremony for the new monument and sign at Avon Park, and all this information will be posted on the website, Facebook and our town tv.

He wished everyone happy Easter and Passover and congratulated UNICO on on their 50th anniversary.

ORDINANCES

1. ORDINANCE #1619-17 – FINAL READING AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED “AN ORDINANCE TO FIX WATER RATES AND SERVICE CHARGES AND PENALTIES FOR THE MUNICIPAL WATER SYSTEM OF THE TOWNSHIP OF SADDLE RIVER (NOW SADDLE BROOK), IN THE COUNTY OF BERGEN, (REVISION OF 1931), AS AMENDED AND SUPPLEMENTED

The Council President announced that a motion is in order that the Township Clerk proceed to give same ordinance a second reading.

Motion: Councilwoman Mazzer

Second: Councilman Camilleri

Roll Call:

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Camilleri - yes

Councilman Accomando - yes

Council President D'Arminio – yes

The Township Clerk then reads the Ordinance by title on second reading:

AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED “AN ORDINANCE TO FIX WATER RATES AND SERVICE CHARGES AND PENALTIES FOR THE MUNICIPAL WATER SYSTEM OF THE TOWNSHIP OF SADDLE RIVER (NOW SADDLE BROOK), IN THE COUNTY OF BERGEN, (REVISION OF 1931), AS AMENDED AND SUPPLEMENTED

The Council President announced that the motion was in order and that the Public Hearing on this ordinance be opened.

Motion: Councilwoman Mazzer

Second: Councilman Camilleri

Roll Call:

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

Hearing no one, the Council President announced that the motion was in order and that the Public Hearing on this ordinance be closed.

Motion: Councilwoman Mazzer Second: Councilman Camilleri

Roll Call:

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

CR# 417-78

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED “AN ORDINANCE TO FIX WATER RATES AND SERVICE CHARGES AND PENALTIES FOR THE MUNICIPAL WATER SYSTEM OF THE TOWNSHIP OF SADDLE RIVER (NOW SADDLE BROOK), IN THE COUNTY OF BERGEN, (REVISION OF 1931), AS AMENDED AND SUPPLEMENTED**

does now pass on second and final reading and that the Township Clerk be directed to advertise said ordinance or Title thereof, in the press, together with a notice of the date of passage of said ordinance according to law.

Motion: Councilwoman Mazzer Second: Councilman Accomando

Councilman Cimiluca said something different that we've done with this ordinance, we're not just passing it on. As I said before we got into trouble years and years ago by kind of subsidizing the water bill. When they raised the rates, we didn't. We're not in the business of subsidizing private water consumption. What this bill did – I had some hesitation, but I was convinced that it's in the best interest of the town that this is a graduated water charge, and by that I mean that the people or companies that use the most water will be paying at a higher rate because their use of the water at that greater percentage is more of a tax on the services, so I was hesitant, but I do agree, and I will vote yes.

Roll Call:

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

2. ORDINANCE #1624-17 – FINAL READING AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A 40A:4-45:14)

The Council President announced that a motion is in order that the Township Clerk proceed to give same ordinance a second reading.

Motion: Councilman Cimiluca Second: Councilman Accomando

Roll Call:

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

The Township Clerk then reads the Ordinance by title on second reading:

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A 40A:4-45:14)

The Council President announced that the motion was in order and that the Public Hearing on this ordinance be opened.

Motion: Councilman Cimiluca Second: Councilwoman Mazzer

Roll Call:

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

Hearing no one, the Council President announced that the motion was in order and that the Public Hearing on this ordinance be closed.

Motion: Councilman Cimiluca Second: Councilwoman Mazzer

Roll Call:

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

CR# 417-79

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A 40A:4-45:14)**

does now pass on second and final reading and that the Township Clerk be directed to advertise said ordinance or Title thereof, in the press, together with a notice of the date of passage of said ordinance according to law.

Motion: Councilwoman Mazzer Second: Councilman Accomando

Roll Call:

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

3. ORDINANCE #1625-17 – FIRST READING
AN ORDINANCE AMENDING THE TOWNSHIP CODE OF THE
TOWNSHIP OF SADDLE BROOK RESCINDING THE ORDINANCE FOR
A UNIFIED ELECTRONIC REPORTING SYSTEM FOR DEALERS IN
SCRAP METAL

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 RESCINDING THE ORDINANCE FOR A UNIFIED ELECTRONIC REPORTING SYSTEM FOR DEALERS IN SCRAP METAL**

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

Motion: Councilman Camilleri

Second: Councilman Accomando

Roll Call:

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

CR# 417-80

AN ORDINANCE AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP OF
SADDLE BROOK RESCINDING THE ORDINANCE FOR A UNIFIED
ELECTRONIC REPORTING SYSTEM FOR DEALERS IN SCRAP METAL

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 4th day of May, 2017 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 Mazzer

Second: Councilman Accomando

Roll Call:

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

4. ORDINANCE #1626-17 – FIRST READING
AN ORDINANCE AMENDING FILING FEES, ESCROW DEPOSITS AND
COMPLETION CHECKLIST PERTAINING TO DEVELOPMENT
APPLICATIONS BEFORE THE PLANNING BOARD AND ZONING
BOARD OF ADJUSTMENT

The Council President announced that the next order of business is the introduction of **AN ORDINANCE AMENDING FILING FEES, ESCROW DEPOSITS AND COMPLETION CHECKLIST PERTAINING TO DEVELOPMENT APPLICATIONS BEFORE THE PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT**

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

Motion: Councilman Camilleri

Second: Councilman Accomando

Roll Call:

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

CR# 417-81

AN ORDINANCE AMENDING FILING FEES, ESCROW DEPOSITS AND COMPLETION CHECKLIST PERTAINING TO DEVELOPMENT APPLICATIONS BEFORE THE PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT

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 4th day of May, 2017 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: Councilman Accomando

Roll Call:

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

Motion: Councilman Cimiluca

Second: Councilman Accomando

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

*** MINUTES**

1. March 2, 2017 – Regular Public Meeting
2. March 20, 2017 – Special Public Meeting

*** RESOLUTIONS**

TOWNSHIP OF SADDLE BROOK RESOLUTION

RESOLUTION URGING THE LEGISLATURE TO REDUCE LOCAL AFFORDABLE HOUSING BURDENS AND PROVIDE DEFINED RULES AND RELIEF IN PROVIDING THEREOF

CR# 417-82

WHEREAS, municipalities do not have the resources to provide court mandated housing to comply with the Mount Laurel doctrine without proper funding; and

WHEREAS, lawsuits increase housing four-fold through court mandates and without an affirmative defense municipalities can do nothing to stop growth and sprawl, costing millions of dollars outside of local budgets; and

WHEREAS, property taxes must be raised exponentially to pay the costs associated with court mandates and, therefore, population, further overburdening taxpayers; and

WHEREAS, the cumulative impact of years of unfunded court mandates has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, expected state population growth of .3 percent does not provide sufficient demand to justify court-mandated 30 percent housing supply increase; further congesting our state; and

WHEREAS, New Jersey is already the most densely populated state in the country with 1,195 persons per square mile; and

WHEREAS, the quality of life and public welfare in this municipality will be reduced, negatively impacting infrastructure, water and sewer capacities; school class sizes and school services; municipal services such as volunteer and staffed ambulatory services and fire departments, police departments, public transportation and traffic; and

WHEREAS, the lack of affordable housing and rentals is not due to a lack of units, rather it stems from residents paying property taxes that are unaffordable and increasing by roughly \$700 million annually; and

WHEREAS, the state of New Jersey should relieve the burden of unfunded court mandates and provide statewide parity and predictability in regard to municipal affordable housing obligations; and

WHEREAS, the Assembly is urged to pass Assembly Bill No. 4666 imposing an end-of-year moratorium on all affordable housing litigation; and Assembly Bill No. 4667 establishing the "Affordable Housing Obligation Study Commission" to assist in finding solutions to the affordable housing crisis foisted upon municipalities by the end of the year; and

WHEREAS, it is the responsibility of the state and the legislature to assist municipalities; and

WHEREAS, the time has come to reasonably address affordable housing needs in New Jersey to preserve the integrity of the state and its quality of life;

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Saddle Brook urges the state and the legislature to aid municipalities over-burdened by court-mandated affordable housing;

AND BE IT FURTHER RESOLVED, that we enthusiastically must reach a solution to affordable housing in New Jersey;

AND BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Chris Christie, Lieutenant Governor Kim Guadagno, Department of Community Affairs Commissioner Charles A. Richman, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Vincent Prieto, New Jersey Assembly Republican Leader Jon Bramnick, our Assemblymen Timothy Eustace and Joseph Lagana, Senator Robert Gordon and to the New Jersey League of Municipalities.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

OPPOSING THE MS4 DRAFT RENEWAL PERMIT

CR# 417-83

WHEREAS – the 140-page MS4 Draft Renewal Permit regulations entail the following modified and/or new requirements:

- More frequent site inspections of stormwater outlets.
- Significant increase in record keeping, at the DPW yard, engineering, and municipal office.
- Enhanced mapping needs regarding the stormwater outlets and other storm water facilities (both public and PRIVATE)
- Enhanced public awareness requirements.
- Enhanced education requirements; engineering review personnel and municipal Land Use Board/Governing Body review.

WHEREAS, to satisfy the above requirements, additional costs will be incurred, both engineering and municipal personnel; and

WHEREAS, no mention is made within the Draft Permit documents with respect to any additional funding from the State; and

WHEREAS, the BCLOM generally supports efforts regarding clean water as evidenced by its recent resolution supporting Superfund status for the Hackensack River, but finds the 140-page Draft Permit burdensome and costly to its taxpayers, especially at a time when both our State and Federal governments are attempting to reduce regulations;

NOW THEREFORE BE IT RESOLVED, that the BCLOM opposes implementation of the MS4 Draft Renewal permit; and

BE IT FURTHER RESOLVED, that the BCLOM requests a less burdensome approach and/or funding to offset the cost of these additional regulations to the taxpayers of its member municipalities; and

BE IT FURTHER RESOLVED, copies of this resolution be distributed to Governor Christie, NJDEP Commissioner Martin, Michele Putnam, Director of Water Resources, Kerry Kirk Pflugh, Director of Local Government Assistance, State Legislators, all Bergen County Municipalities, and the New Jersey State League of Municipalities

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Camilleri - yes

Councilman Accomando - yes

Council President D'Arminio - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

A Resolution in Support of The Valley Hospital's Submission of a Certificate of Need Application to Relocate The Valley Hospital to Paramus, New Jersey

CR# 417-84

WHEREAS, The Valley Hospital, through its award-winning clinical care, exceptional service and numerous community health programs, contributes greatly to the health and wellness of our community; and

WHEREAS, In order to continue providing its vital programs and services and meet the long-term healthcare needs of our community, The Valley Hospital must be able to adapt to changes in healthcare and modernize; and

WHEREAS, The Valley Hospital's plans to build a modern, state-of-the-art hospital in Paramus, New Jersey will ensure that our residents have access to high quality healthcare for many years to come; and

WHEREAS, The Valley Hospital in Paramus, New Jersey will be built with single-patient rooms to enhance the privacy, safety and comfort of its patients; and

WHEREAS, The Valley Hospital in Paramus, New Jersey will incorporate the best practices in creative, innovative and sustainable healthcare facility design, such as flexibility and the use of advanced technology, in order to enhance patient care and service; and

WHEREAS, The Valley Hospital, as a not-for-profit hospital since its inception in 1951, gives back to its community, providing more than \$97 million in Community Benefit and uncompensated care dollars in 2015, including \$5.6 million for community health programs, services and essential health information and preventive education; and

WHEREAS, The Valley Hospital, as the second largest employer in Bergen County, will be a significant driver of economic activity, create construction jobs and permanent jobs, and support local businesses in our area and throughout the region.

NOW THEREFORE BE IT RESOLVED, that The Mayor and Council of Saddle Brook, New Jersey hereby express their full support for The Valley Hospital's Submission of a Certificate of Need Application to Relocate The Valley Hospital to Paramus, New Jersey; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to The New Jersey Department of Health.

Second: Councilman Accomando

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

CR# 417-85

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Saddle Brook that, the following emergency temporary appropriations be made and that a certified copy of this resolution be filed with the Director of the Division of Local Government Services:

	Temporary Budget	Amendment
Office of the Mayor		
Salaries and Wages	\$ 1.00	
Other Expenses	\$ 1,000.00	\$ 3,000.00
Township Council		
Salaries and Wages	\$ 6,000.00	\$ 12,000.00
Other Expenses	\$ 1,000.00	\$ 10,000.00
General Administration		
Salaries and Wages	\$ 24,000.00	\$ 50,000.00
Other Expenses	\$ 1,000.00	\$ 5,000.00
Other Expenses – Postage	\$ 4,000.00	\$ 15,000.00
Other Expenses – Contractual Services	\$ 2,000.00	\$ 20,000.00
Other Expenses – Computer Service Con	\$ 5,000.00	\$ 15,000.00
Other Expenses – Our town CTV	\$ 5,000.00	\$ 15,000.00
Other Expenses – Grants	\$ 5,000.00	\$ 20,000.00

Municipal Clerk			
Salaries and Wages	\$	43,000.00	\$ 90,000.00
Other Expenses	\$	2,000.00	\$ 4,000.00
Other Expenses – Land Use	\$	250.00	
Other Expenses – Codification of Ord	\$	500.00	
Other Expenses – Elections	\$	1,000.00	
Financial Administration			
Salaries and Wages	\$	23,000.00	\$ 50,000.00
Other Expenses	\$	3,000.00	\$ 15,000.00
Other Expenses – Special Audit	\$	2,000.00	
Other Expenses – Statements	\$	250.00	\$ 10,000.00
Other Expenses – Special Financial Services	\$	250.00	\$ 1,000.00
Audit Services			
Other Expenses	\$	1,000.00	
Revenue Administration			
Salaries and Wages	\$	20,000.00	\$ 60,000.00
Other Expenses	\$	3,000.00	\$ 20,000.00
Tax Assessment Administration			
Salaries and Wages	\$	14,000.00	\$ 40,000.00
Other Expenses	\$	750.00	\$ 3,000.00
Other Expenses – Tax Appeal Attorney	\$	5,000.00	\$ 25,000.00
Other Expenses – Appraisals	\$	5,000.00	\$ 25,000.00
Legal Services			
Other Expenses	\$	15,000.00	\$ 50,000.00
Engineering Services			
Other Expenses	\$	3,000.00	\$ 20,000.00
Planning Board			
Salaries and Wages	\$	1,250.00	\$ 5,200.00
Other Expenses	\$	300.00	\$ 1,500.00
Zoning Board of Adjustment			
Salaries and Wages	\$	1,250.00	\$ 2,000.00
Insurance			
Liability	\$	50,000.00	\$ 50,000.00
Worker’s Compensation Insurance	\$	100,000.00	\$ 235,000.00
Employee Group Insurance	\$	400,000.00	\$1,500,000.00
Unemployment Compensation	\$	20,000.00	\$ 50,000.00
Police Department			
Salaries and Wages	\$	975,000.00	\$1,500,000.00
Other Expenses	\$	15,000.00	\$ 50,000.00
Salaries and Wages – Overtime	\$	20,000.00	\$ 50,000.00
Salaries and Wages – Retirements	\$	214,000.00	
Civilian Dispatchers			
Salaries and Wages	\$	25,000.00	\$ 100,000.00
School Marshalls – Crossing Guards			
Salaries and Wages	\$	137,000.00	\$ 250,000.00
Other Expenses	\$	1,250.00	
Police Clerical	\$	10,000.00	\$ 20,000.00
Office of Emergency Management			
Other Expenses	\$	500.00	\$ 4,000.00

Aid to Volunteer Ambulance Services		
Other Expenses		\$ 5,000.00
Fire Department		
Other Expenses	\$ 27,500.00	\$ 50,000.00
Uniform Fire Safety		
Salaries and Wages	\$ 35,000.00	\$ 70,000.00
Municipal Prosecutors Office		
Salaries and Wages	\$ 1,750.00	\$ 3,500.00
Building and Property		
Salaries and Wages	\$ 10,000.00	\$ 25,000.00
Other Expenses	\$ 5,000.00	\$ 25,000.00
Streets and Road Maintenance		
Salaries and Wages	\$ 205,000.00	\$ 400,000.00
Salaries and Wages – Overtime	\$ 6,000.00	\$ 20,000.00
Other Expenses	\$ 25,000.00	\$ 150,000.00
Salaries and Wages – Retirement	\$ 19,000.00	
Snow Removal		
Salaries and Wages	\$ 5,000.00	\$ 20,000.00
Other Expenses	\$ 2,000.00	\$ 10,000.00
Division of Sewers		
Salaries and Wages	\$ 25,000.00	\$ 100,000.00
Salaries and Wages – Overtime	\$ 2,000.00	\$ 5,000.00
Salaries and Wages – Retirement	\$ 20,646.00	
Other Expenses	\$ 2,000.00	\$ 5,000.00
Other Expenses – Repairs	\$ 3,000.00	\$ 20,000.00
Solid Waste Collection		
Other Expenses	\$ 150,000.00	\$ 500,000.00
Other Expenses – Recycling	\$ 31,000.00	\$ 150,000.00
Recycling		
Salaries and Wages	\$ 1,000.00	\$ 5,000.00
Public Health Services		
Salaries and Wages	\$ 1,000.00	\$ 5,000.00
Other Expenses	\$ 500.00	\$ 2,000.00
Other Expenses – Wallington	\$ 500.00	\$ 2,000.00
Other Expenses – Contracts	\$ 6,000.00	\$ 25,000.00
Animal Control		
Other Expenses	\$ 1,000.00	\$ 5,000.00
Other Expenses – Contracts	\$ 3,000.00	\$ 15,000.00
Recreation Services and Programs		
Salaries and Wages	\$ 14,000.00	\$ 50,000.00
Other Expenses	\$ 5,000.00	\$ 50,000.00
Other Expenses – Project Graduation	\$ 300.00	\$ 1,500.00
Other Expenses – Memorial Day	\$ 100.00	\$ 2,500.00
Other Expenses – Senior Citizen Center	\$ 500.00	\$ 5,000.00
Other Expenses – Senior Dinner Dance	\$ 500.00	\$ 5,000.00
Other Expenses – Community Projects &	\$ 1,000.00	\$ 10,000.00
Act.		
Other Expenses – School Bus	.00	\$ 11,000.00

Municipal Court		
Salaries and Wages	\$ 36,000.00	\$ 75,000.00
Salaries and Wages – Special Court Session	\$ 1,000.00	\$ 7,000.00
Other Expenses	\$ 1,500.00	\$ 20,000.00
Code Enforcement and Administration		
Salaries and Wages – Div Engineering	\$ 19,000.00	\$ 54,000.00
Other Expenses	\$ 1,000.00	
Salary and Wages – Construction Code Off.	\$ 19,000.00	\$ 50,000.00
Other Expenses	\$ 1,000.00	
Salaries and Wages – Plumbing Sub-Code	\$ 5,000.00	
Other Expenses	\$ 1,500.00	
Salaries and Wages – Fire Sub-Code	\$ 1,000.00	\$ 5,000.00
Official		
Other Expenses	\$ 500.00	
Department of Inspections		
Salaries and Wages	\$ 10,000.00	\$ 60,000.00
Other Expenses	\$ 500.00	
Utility		
Other Expenses – Electricity	\$ 60,000.00	\$ 100,000.00
Other Expenses – Street Lighting	\$ 60,000.00	\$ 100,000.00
Other Expenses – Telephone	\$ 20,000.00	\$ 50,000.00
Other Expenses – Gasoline	\$ 20,000.00	\$ 60,000.00
Dumping Fees		
Other Expenses	\$ 18,000.00	
Statutory Expenditures		
Public Employees retirement system	\$ 367,937.00	
Social Security System	\$ 60,000.00	
Police and Fire Retirement System	\$ 948,443.00	
Local Firemen’s Pension Fund	\$ 1,200.00	\$ 5,000.00
LOSAP – Fire	\$ 10,000.00	\$ 50,000.00
LOSAP – Ambulance	\$ 5,000.00	\$ 50,000.00
Municipal Public Library		
Salaries and Wages	\$ 185,000.00	\$ 500,000.00
Other Expenses	\$ 75,000.00	\$ 200,000.00
Sewer Processing and Disposal		
Other Expenses – PVSC	\$ 200,000.00	\$ 400,000.00
Other Expenses – Lodi	\$ 5,000.00	\$ 5,000.00
Garbage and Trash Removal Tonnage Tax		
Other Expenses	\$ 3,000.00	\$ 8,000.00
Capital Improvement Fund		
Other Expenses	\$ 5,000.00	\$ 50,000.00
Municipal Debt Service		
Payment of Bond Principal	\$ 500,000.00	\$1,195,500.00
Interest on Bonds	\$ 500,000.00	\$ 658,272.00
Payment of BAN & Capital Notes	\$ 100,000.00	\$ 599,270.00
Interest on Notes – BANs	\$ 10,000.00	\$ 75,000.00
NJEIT Trust Loan – Principal	\$ 30,000.00	\$ 102,000.00
NJEIT Trust Loan – Interest	\$ 20,000.00	\$ 33,000.00
Special Emergency Note – Interest	\$ 1,200.00	
Emergency Authorization – 5 Years	\$ 50,000.00	

WATER UTILITY FUND APPROPRIATIONS

Water Operations		
Salaries and Wages	\$ 91,000.00	\$ 190,000.00
Salaries and Wages – Overtime	\$ 14,000.00	\$ 40,000.00
Group Insurance	\$ 5,000.00	\$ 70,000.00
Other Expenses	\$ 5,000.00	\$ 50,000.00
Bulk Water Purchase (Suez)	\$ 300,000.00	\$1,000,000.00
Bulk Water Purchase (Garfield)	\$ 5,000.00	
Fire Hydrant Service (Garfield)	\$ 3,000.00	
Repairs and Maintenance	\$ 5,000.00	\$ 20,000.00
Engineering	\$ 1,000.00	
Audit	\$ 1,000.00	\$ 5,000.00
Capital Improvements		
Capital Outlay	\$ 10,000.00	
Debt Service		
Payment of Bond Principal	\$ 45,000.00	\$ 59,500.00
Interest on Bonds	\$ 50,000.00	\$ 45,840.00
Payment of BAN		\$ 3,884.00
Interest on Notes		\$ 6,303.00
Statutory Expenditures		
Public Employees Retirement System	\$ 25,000.00	\$ 55,000.00
Social Security System (OASI)	\$ 10,000.00	\$ 40,000.00

Motion: Councilman Cimiluca Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK
RESOLUTION

CR# 417-86

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 2016-2017 and the Division of Alcoholic Beverage Control be so notified.

PLENARY RETAIL DISTRIBUTION

0257-44-008-008 \$770.00	All American Beverage 266 Garibaldi Avenue, Unit #9 Lodi, NJ 07644 (inactive)
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Motion: Councilman Cimiluca Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-87

WHEREAS, Louis J. Wejsa, formerly residing at 15 Riverview Place, Block 1308, Lot 7; received a Year 2014 Homestead rebate on his property on March 20, 2017; and

WHEREAS, the Township of Saddle Brook was transferred ownership of this property as of December 22, 2016; and

WHEREAS, Louis J. Wejsa, the previous Homeowner, is entitled to the 2014 Homestead rebate;

NOW, THEREFORE BE IT RESOLVED, that the Township Council hereby authorize the Treasurer to issue a warrant in the amount of the 2014 Homestead Rebate to:

BLOCK	LOT	NAME & ADDRESS	YEAR	REFUND
01308	00007	Mr. Louis J. Wejsa 126 Colonial Avenue Saddle Brook, NJ 07663	2017	\$268.30

Motion: Councilman Cimiluca Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-88

WHEREAS, the recycling contract for the Township of Saddle Brook is due to expire on June 30, 2017; and

WHEREAS, the Township Council is desirous of drawing up specifications and receiving and opening of bids,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the Township Attorney and the Township Clerk are hereby authorized to draw up specifications and review with the Recycling Coordinator before bids are advertised, and the Township Clerk is hereby authorized to advertise for the receipt of bids.

Motion: Councilman Cimiluca Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-89

WHEREAS, an overpayment on Block 511, Lot 18, 228 Legregni Street occurred on February 6, 2015 for taxes paid for the year 2015; and

WHEREAS, this payment was pre-paid by Ocwen Loan Servicing, LLC on September 4, 2014 in error. Corelogic also paid the first installment of 2015 on February 6, 2015 and this payment was recorded on a reconcilable account in Munidex; and

WHEREAS, Ocwen Loan Servicing, LLC is entitled to a refund for the February 2015 tax quarter,

NOW, THEREFORE BE IT RESOLVED, that the Township Council hereby authorize the Treasurer to issue a warrant in the amount of:

BLOCK	LOT	NAME & ADDRESS	YEAR	REFUND
511	18	Ocwen Loan Servicing 1661 Worthington Road Suite 100 West Palm Beach, FL 33409	2015	\$2,010.00
Attn: Gina Owens				

Motion: Councilman Cimiluca Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-90

WHEREAS, the Township Engineer, Tom Lemanowicz of Remington & Vernick Engineering in correspondence dated March 20, 2017, that an inspection of the construction site at Midland Brew House, 374 N. Midland Avenue, Block 1402, Lot 42 had been performed; and

WHEREAS, the Township Engineer performed an inspection of the construction site for the purpose of evaluating the completion status of the bonded site work improvements; and

WHEREAS, the Township Engineer has recommended that a maintenance guarantee in the amount of \$37,080.00 (maintenance bond of \$33,372.00 and maintenance cash of \$3,708.00) be posted upon receipt by the Township,

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Saddle Brook, does hereby authorize the release of the performance bond of \$222,480.00 and cash bond of \$3,708.00 to Midland Brew House upon receipt of the maintenance bond and maintenance cash bond totaling \$33,372.00 and a final letter of approval from the Township engineer.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Camilleri - yes

Councilman Accomando - yes

Council President D'Arminio - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 417-91

WHEREAS, the Township Engineer, Tom Lemanowicz of Remington & Vernick Engineering in correspondence dated March 15, 2017, that an inspection of the construction site at Saddle Brook Storage, 675 N. Midland Avenue, Block 1701, Lot 1, 3, 5 had been performed; and

WHEREAS, the Township Engineer performed an inspection of the construction site for the purpose of evaluating the completion status of the bonded site work improvements; and

WHEREAS, the Township Engineer has recommended that a maintenance guarantee in the amount of \$91,980.00 (maintenance bond of \$82,782.00 and maintenance cash of \$9,198.00) be posted upon receipt by the Township,

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Saddle Brook, does hereby authorize the release of the performance bond of \$551,880.00 and cash bond of \$61,230.00 to Saddle Brook Storage upon receipt of the maintenance bond and maintenance cash bond totaling \$91,980.00 and a final letter of approval from the Township engineer.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Camilleri - yes

Councilman Accomando - yes

Council President D'Arminio - yes

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-92

WHEREAS, ARCO Electric was awarded a contract in the amount of \$95,907.90 for the Municipal Building Generator Project; and

WHEREAS, Thomas Lemanowicz, Twp. Engineer, during the course of the work being performed by ARCO Electric recommended Change Order #1, increasing the contract in the amount of \$19,092.10 to adjust for unanticipated conditions;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby approves Change Order #1 for ARCO Electric for a total increase of \$19,092.10, resulting in a total contract amount of \$115,000.00, providing funds are available.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

TAX IDENTIFICATION STATEMENT

CR# 417-93

WHEREAS, The Recycling Enhancement Act., P.L.2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provided for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Township of Saddle Brook that the Township of Saddle Brook hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2016 in the amount of (\$15,903.90). Documentation supporting this submission is available at 93 Market St. Saddle Brook, N.J. 07663 and shall be maintained for no less than five years from this date.

REA Tax certified by:

Name of official: Ray Carnevale
Title of official: Chief Financial Officer

Date: April 6, 2017

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 417-94

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License #0257-33-13-005 issued to Chet Patel, LLC at 215 Midland Avenue, Saddle Brook, NJ 07663; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Saddle Brook does hereby approve the Person-to-Person transfer of the aforesaid Plenary Retail Consumption Liquor License #0257-33-13-005 to Shree Radhey, LLC at 215 Midland Avenue, Saddle Brook, NJ 07663 - #0257-33-13-006.

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 417-95

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/SEWER DPW	AMERICAN SEWER PERENNIAL SERVICES, LLC	CLEAN WET-WELLS LAWN TREATMENTS	\$11,560.00 \$4,600.00
DPW	SNAPP SECURITY SYSTEM	ALARM SERVICE	\$7,030.00
DPW	BEYER BROTHERS CORP	REPAIR GARBAGE TRUCK	\$2,267.67
FIRE DPW	NJ FIRE EQUIPMENT DIAMOND FIRE PROTECTION	25 PAIRS BOOTS H&L FIRE SUPPRESSION	\$8,112.50 \$6,800.00

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 417-96

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 **\$5,284.10** PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.

THESE ARE THE BILLS PAID THROUGH OFF LINE CHECKS

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 417-97

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 **\$3,966,432.22** 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 Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-98

WHEREAS, the Mayor and Council of the Township Council of the Township of Saddle Brook have been advised that an emergency affecting the safety and welfare of the citizens of the Township of Saddle Brook and the general public, when a sanitary force main at 205 Main Street, Lodi, New Jersey, collapsed and became inoperable and in need of repair; and

WHEREAS, the Township Engineer notified the Township Business Administrator setting forth the circumstances regarding the emergency; and

WHEREAS, the Mayor and Township Council are satisfied that an emergency did exist and that immediate action was necessary to restore the aforementioned; and

WHEREAS, the total cost of repairs is \$ 51,901.00, which is a fair and reasonable cost; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the Capital Fund in account 04-2156-55-9911-901; and

NOW, THEREFORE BE IT RESOLVED Township Council of the Township of Saddle Brook that pursuant to N.J.S.A. 40A: 11-6, which authorizes the governing body to award a contract without benefit of bidding in emergency situations, and that the vendor, J. Fletcher Creamer & Son. Inc., 101 East Broadway, Hackensack, New Jersey 07601, be paid therefore.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Camilleri - yes

Councilman Accomando - yes

Council President D'Arminio - yes

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-99

WHEREAS, Saddle Brook Chapter of UNICO was established in 1967 as an Italian-American organization, dedicated to helping individuals and the community; and

WHEREAS, during Saddle Brook UNICO's history of service, UNICO has supported programs such as Cooley's Anemia, mental health, Jimmy V, ARC Dance sponsors and donations to two food panties at Thanksgiving and Christmas; and

WHEREAS, Saddle Brook UNICO has especially served the Saddle Brook community by sponsoring at least five annual scholarships valued at \$1,000 each to Saddle brook students bound for college, sponsor of Saddle Brook Little League team, Sponsor of Saddle Brook Angels Soccer, Little League Challenger's party, donation of \$2,500 annually to Italian studies in the Saddle Brook School district, and the successful Street Fair, a true family day in Saddle Brook as well as assisting families in need.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Council of the Township of Saddle Brook that Saddle Brook Chapter of UNICO is hereby recognized for 50 years of dedicated service to our community faithfully upholding

UNICO's motto "Service above self" and we wish Saddle Brook Chapter of UNICO many more years of success.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED 106 KP, LLC V. TOWNSHIP OF SADDLE BROOK AT 106 KENNY PLACE, BLOCK 1008, LOT 4 FOR TAX YEARS 2015 AND 2016.

CR# 417-100

WHEREAS, 106 KP, LLC has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 106 Kenny Place and identified on the Township's tax maps as Block 1008, Lot 4 for tax years 2015 and 2016; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2015 to be reduced from \$7,217,100 to \$6,400,000 resulting in a refund of \$22,184.
- 2) The assessment for tax year 2016 to be reduced from \$7,217,100 to \$6,400,000\$ resulting in a refund of \$23,410.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED DI
FULCO, DI SALVO, D'ANGELO V. TOWNSHIP OF SADDLE BROOK
AT 326 ROUTE 46 EAST, BLOCK 118, LOT 2
FOR TAX YEARS 2012 THROUGH 2016.**

CR# 417-101

WHEREAS, Di Fulco, Di Salvo, D'Angelo has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 326 Route 46 East and identified on the Township's tax maps as Block 118, Lot 2 for tax years 2012 through 2015; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax years 2012 through 2014 to remain unchanged.
- 2) The assessment for tax year 2015 to be reduced from \$682,000 to \$575,000 resulting in a refund of \$2,905.
- 3) The assessment for tax year 2016 to be reduced from \$682,000 to \$575,000 resulting in a refund of \$3,066.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED NAM PROPERTIES V. TOWNSHIP OF SADDLE BROOK
AT 492 MARKET STREET, BLOCK 707, LOT 6
FOR TAX YEARS 2013 THROUGH 2016.**

CR# 417-102

WHEREAS, Nam Properties has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 492 Market Street and identified on the Township's tax maps as Block 707, Lot 6 for tax years 2013 through 2016; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2013 to be reduced from \$1,820,800 to \$1,700,000 resulting in a refund of \$3,115.
- 2) The assessment for tax year 2014 to be reduced from \$1,820,800 to \$1,600,000 resulting in a refund of \$5,785.
- 3) The assessment for tax year 2015 to be reduced from \$1,820,800 to \$1,500,000 resulting in a refund of \$8,710.
- 4) The assessment for tax year 2016 to be reduced from \$1,820,800 to \$1,200,000 resulting in a refund of \$17,786.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED UNITED SUPPLY CORP. V. TOWNSHIP OF SADDLE BROOK
AT 270 MARKET STREET, BLOCK 512, LOT 2
FOR TAX YEARS 2013 THROUGH 2016.**

CR# 417-103

WHEREAS, United supply Corp. has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 270 Market Street and identified on the Township's tax maps as Block 512, Lot 2 for tax years 2013 through 2016; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2013 to remain unchanged at \$5,410,100.
- 2) The assessment for tax year 2014 to be reduced from \$5,410,100 to \$5,250,000 resulting in a refund of \$4,195.
- 3) The assessment for tax year 2015 to be reduced from \$5,410,100 to \$4,750,000 resulting in a refund of \$17,922.
- 4) The assessment for tax year 2016 to be reduced from \$5,410,100 to \$4,250,000 resulting in a refund of \$33,237.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED DAVID BENATI V. TOWNSHIP OF SADDLE BROOK
AT 314 MIDLAND AVENUE, BLOCK 109, LOT 1 AND
308 MIDLAND AVENUE, BLOCK 102, LOT 24
FOR TAX YEARS 2013 THROUGH 2016.**

CR# 417-104

WHEREAS, David Benati has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 314 Midland Avenue and 308 Midland Avenue and identified on the Township's tax maps as Block 109, Lot 1 and Block 102, Lot 24, respectively, for tax years 2013 through 2016; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for Block 102, Lot 24 to remain unchanged for all years under appeal.
- 2) The assessment for Block 109, Lot 1 to remain unchanged for years 2013 and 2014.
- 3) The assessment for Block 109, Lot 1 for tax year 2015 to be reduced from \$901,000 to \$801,000 resulting in a refund of \$2,715.
- 4) The assessment for Block 109, Lot 1 for tax year 2016 to be reduced from \$901,000 to \$750,000 resulting in a refund of \$4,326.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED DI FULCO, DI SALVO, D'ANGELO V.
TOWNSHIP OF SADDLE BROOK
AT 331 TENTH STREET, BLOCK 118, LOT 3
FOR TAX YEARS 2012 THROUGH 2015.**

CR# 417-105

WHEREAS, Di Fulco, Di Salvo, D'Angelo has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 331 Tenth Street and identified on the Township's tax maps as Block 118, Lot 3 for tax years 2012 through 2015; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed term:

The assessment for all tax years under appeal to remain unchanged.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED PARAMUS WOODBROOK V. TOWNSHIP OF SADDLE BROOK
AT 299 MARKET STREET, BLOCK 501, LOT 5
FOR TAX YEARS 2014 THROUGH 2016.**

CR# 417-106

WHEREAS, Paramus Woodbrook has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 299 Market Street and identified on the Township's tax maps as Block 501, Lot 5 for tax years 2014 through 2016; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$8,412,300 to \$6,500,000 resulting in a refund of \$50,102.
- 2) The assessment for tax year 2015 to be reduced from \$8,412,300 to \$6,250,000 resulting in a refund of \$58,706.
- 3) The assessment for tax year 2016 to be reduced from \$8,412,300 to \$5,500,000 resulting in a refund of \$83,437.

Motion: Councilman Cimiluca Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED SYDNEY MAY REALTY V. TOWNSHIP OF SADDLE BROOK
AT 114 ROUTE 46, BLOCK 404, LOT 2.01
FOR TAX YEARS 2013 THROUGH 2016.**

CR# 417-107

WHEREAS, WL&L Associates/Sydney May Realty has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 114 Route 46 and identified on the Township’s tax maps as Block 404, Lot 2.01 for tax years 2013 through 2016; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all

documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2013 to be reduced from \$832,000 to \$820,000 resulting in a refund of \$309.
- 2) The assessment for tax year 2014 to be reduced from \$832,000 to \$720,000 resulting in a refund of \$2,934.
- 3) The assessment for tax year 2015 to remain unchanged at \$725,000.
- 4) The assessment for tax year 2016 to be reduced from \$725,000 to \$663,000 resulting in a refund of \$1,776.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED CLB PROPERTIES INC. V. TOWNSHIP OF SADDLE BROOK AT 487 LYSTER AVENUE, BLOCK 1009, LOT 9 FOR TAX YEARS 2014 AND 2016.

CR# 417-108

WHEREAS, CLB Properties Inc. has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 487 Lyster Avenue and identified on the Township's tax maps as Block 1009, Lot 9 for tax years 2014 and 2015; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to remain unchanged at \$6,796,400.
- 2) The assessment for tax year 2015 to be reduced from \$6,796,400 to \$6,250,000 resulting in a refund of \$14,835.
- 3) The assessment for tax year 2016 to be reduced from \$6,796,400 to \$5,750,000 resulting in a refund of \$29,979.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED HK PLUS PROFIT SHARING PLAN V.
TOWNSHIP OF SADDLE BROOK
AT 131 MARKET STREET, BLOCK 609, LOT 7
FOR TAX YEARS 2014 & 2015.**

CR# 417-109

WHEREAS, HK Plus Profit Sharing Plan has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 131 Market Street and identified on the Township's tax maps as Block 609, Lot 7 for tax years 2014 & 2015; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$455,400 to \$350,000 resulting in a refund of \$2,761.
- 2) The assessment for tax year 2015 to remain unchanged at \$300,000.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED PUCCIO IV, LLC V. TOWNSHIP OF SADDLE BROOK
AT 487 MARKET STREET, BLOCK 705, LOT 29
FOR TAX YEARS 2012 THROUGH 2016.**

CR# 417-110

WHEREAS, Puccio IV, LLC has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 487 Market Street and identified on the Township's tax maps as Block 705, Lot 29 for tax years 2012 through 2016; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2012 to remain unchanged.
- 2) The assessment for tax year 2013 to be reduced from \$4,411,100 to \$4,250,000 resulting in a refund of \$4,155.
- 3) The assessment for tax year 2014 to be reduced from \$4,411,100 to \$4,250,000 resulting in a refund of \$4,221.
- 4) The assessment for tax year 2015 to be reduced from \$4,411,100 to \$4,000,000 resulting in a refund of \$11,161.
- 5) The assessment for tax year 2016 to be reduced from \$4,411,100 to \$3,750,000 resulting in a refund of \$18,941.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED CORK HOLDING, LP V. TOWNSHIP OF SADDLE BROOK
AT 129 PEHLE AVENUE, BLOCK 1311, LOT 36
FOR TAX YEARS 2013 THROUGH 2016.**

CR# 417-111

WHEREAS, Cork Holding, LP has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 129 Pehle Avenue and identified on the Township's tax maps as Block 1311, Lot 36 for tax years 2013 through 2016; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2013 to be reduced from \$10,152,000 to \$6,152,000 resulting in a refund of \$103,160.
- 2) The assessment for tax year 2014 to be reduced from \$10,152,000 to \$6,152,000 resulting in a refund of \$104,800.
- 3) The assessment for tax year 2015 to be reduced from \$10,152,000 to \$6,152,000 resulting in a refund of \$108,600.
- 4) The assessment for tax year 2016 to be reduced from \$10,152,000 to \$3,739,400 resulting in a refund of \$183,721.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED L&L PARK 80, LLC V. TOWNSHIP OF SADDLE BROOK
AT PEHLE AVENUE, BLOCK 1002, LOT 1
FOR TAX YEAR 2013.**

CR# 417-112

WHEREAS, L&L Park 80, LLC has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at Pehle Avenue and identified on the Township's tax maps as Block 1002, Lot 1 for tax year 2013; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed term:

The assessment for tax year 2013 to remain unchanged at \$95,845,400.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED SADDLE PHELAN, LLC V. TOWNSHIP OF SADDLE BROOK
AT 106 KENNY PLACE, BLOCK 1008, LOT 4
FOR TAX YEARS 2011 THROUGH 2014.**

CR# 417-113

WHEREAS, Saddle Phelan, LLC has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 106 Kenny Place and identified on the Township's tax maps as Block 1008, Lot 4 for tax years 2011 through 2014; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, are of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommend that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2011 to be reduced from \$8,105,600 to \$6,800,000 resulting in a refund of \$27,966.
- 2) The assessment for tax year 2012 to be reduced from \$8,105,600 to \$6,400,000 resulting in a refund of \$37,267.
- 3) The assessment for tax year 2013 to be reduced from \$7,217,100 to \$6,400,000 21,073.
- 4) The assessment for tax year 2014 to be reduced from \$7,217,100 to \$6,400,000 resulting in a refund of \$21,408.

Motion: Councilman Cimiluca Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-114

WHEREAS, the Township of Saddle Brook has determined that the following vehicles are no longer needed and desires to sell the following surplus vehicles as listed and given to the Township Council,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the Township Clerk is hereby authorized to conduct a public sale of surplus vehicles and advertise said sale in the legal newspaper of the Township.

2006	FORD CROWN VICTORIA	VIN# 2FAFP71W26X106810
2011	FORD CROWN VICTORIA	VIN# 2FABP7BVBX107974

Motion: Councilman Cimiluca Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-115

WHEREAS, the Township of Saddle Brook has negotiated in good faith with the International Brotherhood of Teamsters Local 560 (blue collar) for a successor employee contract; and

WHEREAS, the Township and Local 560 has reached an agreement on said contract; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby agrees to said contract agreement and authorizes the mayor and Township Clerk to sign the contract with Local 560 (blue collar).

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-116

WHEREAS, the Township of Saddle Brook has negotiated in good faith with the International Brotherhood of Teamsters Local 560 (white collar) for a successor employee contract; and

WHEREAS, the Township and Local 560 has reached an agreement on said contract; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby agrees to said contract agreement and authorizes the mayor and Township Clerk to sign the contract with Local 560 (white collar).

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 417-117

WHEREAS, the Township of Saddle Brook has negotiated in good faith with the Saddle Brook School Crossing Guards for a successor employee contract; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby agrees to said contract agreement and authorizes the mayor and Township Clerk to sign the contract with the Saddle Brook School Crossing Guards.

Second: Councilman Accomando

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

CR# 417-118

WHEREAS, residents of Saddle Brook have benefited over the years from Community Development grants such as the purchase of the Saddle Brook Senior Center, Senior Citizen bus, improvements to the Senior Center, the salary of senior citizen center employees, barrier-free curb improvements and barrier-free improvements to our schools, an elevator for the Saddle Brook VFW, drainage improvements to prevent flooding, County programs such as Meals on Wheels, just to name a few; and

WHEREAS, the proposed funding for FY 2017 will amount to a 50% cut if left intact, leaving many programs underfunded or unfunded, targeting Senior Citizen and youth programs in Saddle Brook and throughout the country,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the Mayor and Township Council strongly supports the programs and full funding of the Community Development Block Grant program, and that President Trump and members of the United States Congress take into account all the worthwhile programs supported by Community Development Block Grant; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to send certified copies of this resolution to President Donald J. Trump, US Senate and House of Representative leaders, Congressman William Pascrell, US Senators Cory Booker and Robert Menendez, NJ League of Municipalities and Bergen County Community Development.

Second: Councilman Accomando

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

*** CORRESPONDENCE**

1. Thomas Lemanowicz, Re: Performance Bond Return
Twp. Engineer Saddle Brook Storage
Block 1701, Lots 1, 3 &5

To: Peter Lo Dico, Twp. Clerk Date: March 15, 2017

The above applicant posted the following performance guarantees in association with the development of the property:

- Performance Bond #CT020501 from First Indemnity of America Insurance Company in the amount of \$551,880.00, representing 90% of the construction cost.
- Check #1209 in the amount of \$61,230.00, dated 10/13/15, representing 10% of the construction cost.

The amounts described above were set forth in the attached cost estimate.

Inspections performed by this office have found that the site work has been completed in substantial conformance to the approved plan. As such, the applicant must now provide a maintenance guarantee in the total amount of \$91,980.00, as follows:

Maintenance Bond: 82,782.00

Maintenance Cash: 9,198.00

By copy of this letter, the applicant is instructed to submit the maintenance cash and original bond to the Township Clerk. A copy of the bond is to be sent to this office. Upon review and approval of the bond language, this office will be in a position to recommend the return of the performance guarantee.

On behalf of the applicant, I am requesting that this item be placed on the agenda for the April meeting of the Mayor and Council. In the case that the maintenance bond is not yet in place, that condition could be placed in the resolution to release the performance guarantee. This would prevent the need for a delay until the May meeting if the paperwork is not ready in time for the April meeting.

Should there be any questions or comments, please contact the undersigned.

2. Thomas Lemanowicz, Re: Performance Bond Return
Twp. Engineer Midland Brew House
Block 1402, Lot 42

To: Peter Lo Dico, Twp. Clerk Date: March 20, 2017

The above applicant posted the following performance guarantees in association with the development of the property:

- Performance Bond #2013-0002 from Mariner's Bank in the amount of \$222,480.00 representing 90% of the construction cost.
- Cash bond in the amount of \$24,831.26, representing 10% of the construction cost.

The amounts described above were set forth in the attached cost estimate.

Inspections performed by this office have found that the site work has been completed in substantial conformance to the approved plan. As such, the applicant

must now provide a maintenance guarantee in the total amount of \$37,080.00 as follows:

Maintenance Bond: 33,372.00

Maintenance Cash: 3,708.00

By copy of this letter, the applicant is instructed to submit the maintenance cash and original bond to the Township Clerk. A copy of the bond is to be sent to this office. Upon review and approval of the bond language, this office will be in a position to recommend the return of the performance guarantee.

On behalf of the applicant, I am requesting that this item be placed on the agenda for the May meeting of the Mayor and Council. In the case that the maintenance bond is not yet in place, that condition could be placed in the resolution to release the performance guarantee. This would prevent the need for a delay until the June meeting if the paperwork is not ready in time for the May meeting.

Should there be any questions or comments, please contact the undersigned.

3. Lt. Thomas Johnson, SBPD Re: Ice Cream Vendor Application

To: Chief R. Kugler, SBPD Date: March 7, 2017

The Ice Cream Truck, LLC
William Guzy
190 Bennington Court
Clifton, NJ 07013

In accordance with The Code of the Township of Saddle Brook Chapter 111, Local Ordinance 382 the Detective Bureau was assigned to conduct an investigation of the above referenced business that filed an Ice Cream Vendor Application.

Mr. Guzy filed all appropriate paperwork regarding his application. Mr. Guzy does not have any complaints lodged against him with this agency. He has a valid New Jersey driver's license and no criminal convictions were found. His vehicle is properly registered through September of 2017.

I therefore find no reason why this application should not be approved.

Should you have any questions or need additional information, please feel free to contact me at any time.

4. Mayor White

Re: Mayor's Appointment, Planning
Board Member – Clifford Cook

To: Council

Date: March 29, 2017

MAYOR'S APPOINTMENT

APPOINTMENT OF PLANNING BOARD MEMBER

In accordance with the provisions of Article II, Section 2, (d) of the Administrative Code,
I, Robert D. White, Mayor of the Township of Saddle Brook, do hereby appoint:

CLIFFORD COOK

as Township Planning Board Member - 2nd Alternate, effective March 21, 2017 and which shall expire
on December 31, 2018.

5. Det. John Tritto, SBPD

Re: Liquor License Transfer
0257-33-13-005

To: Chief R. Kugler, SBPD

Date: March 14, 2017

In accordance with the Code of the Township of Saddle Brook, Chapter 52, the Investigations Division of the Saddle Brook Police Department has reviewed and investigated the Liquor License transfer application filed by Shree Radmey, LLC. The LLC is owned by Alpeh G. Sheth of 11 Pikeview Terrace, Secaucus, NJ 07024. Shree Radmey, LLC, will be purchasing the Liquor License from Chet Patel, LLC. Both parties involved have known each other through a previous business transaction that occurred in Garfield.

The purchase price for the Liquor License is \$96,000. The source of income for the purchase will be obtained through a \$96,000 Home Equity Loan, which is the exact purchase price for the license. Mr. Sheth t/a Shree Radmey, LLC disclosed all funding and lease agreements for the purchase and operation of the liquor license.

I have reviewed the application and all the necessary paperwork that was provided in accordance with provisions set forth for purchase or transfer of liquor licenses and found it all to be proper. A criminal background check of Mr. Sheth was completed. No arrest records or wants were located.

Based upon the investigation that was conducted, this transfer appears to be a bona-fide arms length transaction involving no silent partners. The applicant has no criminal record and appears to be financially stable. The application was properly advertised and no objections to the transfer were registered. The applicant will operate the business within the parameters of the ABC regulations and there appears to be reasonable likelihood of the financial survival of the business. I therefore find no reason for the denial of this application. Should you have any questions or comments please feel free to contact me at any time.

6. Thomas Lemanowicz, PE Re: Force Main Repair
Township Engineer 205 Main Street
 Borough of Lodi
 Recommendation to Award

To: Peter Lo Dico, Twp. Clerk Date: March 29, 2017

In August of 2015, subsurface investigatory work at the above referenced property damaged a sanitary force main that is maintained by the Township of Saddle Brook. The Borough of Lodi subsequently took steps to facilitating a repair, as follows:

- Authorized the Lodi Engineer to prepare bid documents for the repair project.
- Awarded repair project to a contractor.
- Authorized Lodi Engineer to coordinate and preside over a pre-construction meeting.
- Directed contractor to commence with the work.
- Authorized Lodi Engineer to develop a Pumping Plan per NJDEP direction.

The entire process above concluded last fall when Lodi indicated that it was no longer honoring its earlier pledge to share in the cost of the repair. At that point, the Township considered how to address the damaged pipe, subsequently deciding to proceed with the repair on its own as the pipe is critical to the health and safety of the residents of Saddle Brook as this pipe carries the entirety of the sanitary sewage out of Saddle Brook.

In proceeding with the start of the work, this office contacted the contractor. At this time we were advised that the contractor had an outstanding claim for an extra with the Borough of Lodi. The issue stems from the fact that the contractor was directed by the Borough of Lodi Engineer to mobilize and complete the repair prior to the issuance of required approvals by the NJDEP.

Given the urgency of the matter, as it relates to the sanitary sewage disposal for the Township of the Saddle Brook, this office is of the opinion that the repair presents an emergency situation and recommends that the Governing Body make a finding as

such. While a considerable amount of time has elapsed while the Borough of Lodi was working toward the completion of the repair, the abandonment of the project by the Borough of Lodi has placed the Township of Saddle Brook in a position to complete the repair with the appropriate level of priority.

Should there be any questions or comments, please contact the undersigned.

*** RAFFLES/APPLICATIONS**

Raffles

1. RA# 1248 – American Legion Post – Pull Tab
2. RA# 1249 – St. Philip the Apostle Holy Name Society – Calendar Raffle
3. RA# 1250 – PTA Franklin School – 50/50
4. RA# 1251 – PTA Franklin School – Tricky Tray

Public Place

5. Plank Pizza – 383 Market Street, Bldg. D – RENEWAL
6. Sky @ Crowne Plaza – 50 Kenney Place – RENEWAL
7. Que Pasta – 326 Market Street – RENEWAL
8. The Excelsior – 190 Route 46 East - RENEWAL

Gas Station

9. Pehle Management – 16 Pehle Avenue – RENEWAL

Used Cars

10. Richard Gianetta - 16 Pehle Avenue – RENEWAL
Limit – 3 vehicles

Auto Body

11. New Saddle Brook Auto Body – 508-510 Market Street – RENEWAL

Auto Repair

12. Roger LePage Auto Service – 341 Tenth Street – RENEWAL
13. Saddle Brook Auto Center – 488 Fairlawn Parkway - RENEWAL

Mobile Food Vendor – Ice Cream Truck

14. The Ice Cream Truck – 190 Bennington Court, Clifton – RENEWAL

Livery

15. Fusion Limousine Service – 216 Midland Avenue - RENEWAL

*** REPORTS**

1. Bergen County Sanitarian Report – February 2017
2. Municipal Court Monthly Report – February 2017
3. Fire Prevention Report – January 2017
4. Fire Prevention Report – February 2017
5. Construction Code Official Monthly Report – February 2017
6. Property Maintenance Monthly Report – February 2017
7. Senior Citizen Center Monthly Report – February 2017
8. Hotel Room Tax Report – March 2017
9. Grant Writer Monthly Report – February 2017
10. DPW Monthly Report – February 2017
11. Police Department Monthly Report – September 2016
12. Police Department Monthly Report – October 2016
13. Police Department Monthly Report – November 2016
14. Police Department Monthly Report – December 2016
15. Police Department Monthly Report – January 2017
16. Police Department Monthly Report – February 2017
17. Water Department Revenue Report – February 2017
18. Engineer's Mid-Month Status Report – March 2017
19. Water Operator Monthly Report – February 2017

OLD BUSINESS/NEW BUSINESS

Councilman Cimiluca mentioned Mr. Russell Maffei and Ms. Marie Tauro, who passed away over the weekend after being struck by a car while delivering petitions for candidates and extended his deepest condolences to their families. He concluded by wishing everyone a Happy Easter.

CPA wished everyone a Happy Easter and Passover, and she congratulated UNICO for their 50 years of service.

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

Motion: Councilman Camilleri

Second: Councilwoman Mazzer

Roll call:

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

Seeing none, Council President D'Arminio asked for a motion to close the meeting to the public.

Motion: Councilman Cimiluca Second: Councilman Camilleri

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

Council President D'Arminio asked for a motion to go into closed session at 9:12 PM.

Mr. Suarez noted the Council was going into executive session to discuss the Zoning Board issue, and there would be recusals.

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 417-119

WHEREAS, the Township Council of the Township of Saddle Brook desires to meet for the purpose of a closed session to discuss litigation; and

WHEREAS, the Open Public Meeting Act does make an exception and allows a public body to hold a closed session to discuss these items,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the closed session to take place on April 6, 2017 at 7:00 PM or as soon thereafter as the matter can be reached at the Municipal Building be closed to the public and the press and that the results of the discussion at the closed session will be released to the public when the reasons for discussing and acting on it in closed session no longer exists.

Motion: Councilwoman Mazzer Second: Councilman Camilleri

Roll Call:

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

Council President D'Arminio asked for a motion to come out of closed session at 10:21 PM.

Motion: Councilwoman Mazzer Second: Councilman Camilleri

Roll Call:

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

Council President D'Arminio asked for a motion to adjourn.

Motion: Councilman Cimiluca

Second: Councilman Accomando

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

Councilwoman Mazzer recused herself from a portion of the closed session and left the meeting.

Meeting adjourned at 10:20 PM.

Respectfully submitted,

Peter Lo Dico, RMC CMC
Township Clerk

Approved: May 4, 2017

Karen D'Arminio
Council President