

The minutes of the regular Public Meeting of the Township Council of the Township of Saddle Brook held on July 13, 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 – present
Councilwoman Mazzer - present
Councilman Gierak – present
Councilman Accomando – absent
Council President D'Arminio - present

Mayor White – present
Mr. Suarez, Twp. Attorney – present
Mr. Arango – Twp. Engineer – present

Council President D'Arminio asked everyone to please rise for the salute to the flag and to remain standing to observe a moment of silence in memory of school Crossing Guard Janet von Ende and retired Police Officer and school Crossing Guard Murray Winter.

Council President D'Arminio announced that adequate notice of this meeting has been sent to all Council members by police messenger on July 6, 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.

Mayor White welcomed five new police officers and their families to the Saddle Brook Police Department and said it was a great honor and responsibility being chosen to serve our police department and our community as a police officer.

He congratulated Officers Attilio Dente, Andres Morales, Anthony Davanzo, Kimberly Diaz and Joseph Camilleri IV on their induction into the Police Department and said he was certain they would be fully invested in the health and safety of the public and will be committed to the needs of our community.

He said with these appointments we are taking a significant step closer to becoming fully staffed. This will ensure that our police department will provide quality service to our residents and to the public. We will be able to continue our school resource officer program in the High School/Middle School and assign more detectives to the investigation division and increase community policing initiatives.

Mayor White then administered the oath of office to each of the new officers.

Chief Robert Kugler welcomed the new officers and said they were chosen because they scored highest on the competitive examination. He said he was very proud, and he commended the Mayor and the Council for supporting and authorizing the new hires, bringing the total number of officers to 33.

Chief Kugler then thanked recently retired Detective Captain Vincent Laurentino for his 27½ years of service to the Police Department.

Captain Laurentino thanked the Council, the Chief, the Mayor and all the residents of Saddle Brook and said it was a privilege and honor to serve for 27½ years.

Mayor White presented Captain Laurentino with a plaque commemorating his service.

Chief Kugler noted that Officer Camilleri's grandfather, Raymond Curry, Sr. served as a Saddle Brook Police Officer for nearly 50 years.

Council President D'Arminio congratulated all of the new police officers and their families and wished Captain Laurentino good luck. She then called for a short recess.

Upon returning from recess, Council President D'Arminio announced she had decided to set a time limit for the opening portion of the meeting at three minutes for the open portion and three minutes for agenda items only. The work session will remain unlimited because she said the work session is the place for lengthy debates.

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

Motion: Councilman Cimiluca Second: Councilwoman Mazzer

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

Mr. Michael Accomando of 33 Welcome Road asked if the 'Do not block the box' section would be added to the newly paved area on Market Street near Welcome Road.

Mayor White said he believed it would be exactly the way it was.

Mr. Accomando asked if it would be possible to put speed bumps in that area because people cut through from Market to Saddle River Road or Saddle River Road to Market.

Mayor White said they would probably discuss that tonight, and the engineer had a report he did on President Street.

Mr. James McKinnon of 29 Welcome Road said he lived next door to Mr. Accomando and was a 46-year resident of Saddle Brook. He said 40 years ago his daughter was hit by a car and almost killed on Platt Avenue. The car that hit her left 46 feet of skid marks; she was thrown 79 feet and survived. That was a long time ago and nothing has changed on Platt Avenue, it has probably even gotten worse, and it's just as bad on MacArthur. Nobody stops for the stop sign, they come flying through and they wind up giving you a gesture with their hand if you question them. We would like something done on Platt and MacArthur helping to alleviate that problem.

Mr. McKinnon added that though his daughter survived, she spent six months in a wheel chair and he had moved here from the Bronx to be safe. She was safer in the Bronx.

Council President D'Arminio said we have just done a study about speed bumps on President Street, and we know there are other streets in town that do warrant them.

Mayor White said he believed it was an enforcement issue and it may warrant speed bumps, but he would like there to be other strategies first.

Mr. McKinnon said we've been working on this a long time. We're not traffic engineers, but we can't think of anything else to do. There are a lot of small children now on Welcome Road. He said a child had almost been struck.

Mr. Mark Marino of 109 Cambridge Avenue said sometimes council members don't speak into their microphones making it difficult for people to hear them on TV. He requested that the Council make sure the microphones are in front of them, or don't turn their heads when speaking.

Mr. Marino then thanked the Council for the job they do. He said in politics, as in life, you can't please everybody. He said he was afraid that people watching on TV would see a lot of negativity, and if that's their perception it would become their reality. He said while the town does have its problems, we have programs for seniors, and an excellent police department and EMS service. He said he had a heart attack last December and without those folks he would not be standing here today.

Mr. Marino added that the Mayor and Council listen to people, and not just the week before an election. The mentioned organizations like the Mayor's Youth Group and the Saddle Brook Angels. He said the schools have improved, and we have recreational programs and he thanked the Council for trying to better the town.

Council President D'Arminio asked Mr. Marino to get to his question as his time was up.

Mr. Marino mentioned seeing children hanging out at Smith Field and CVS parking lot and asked if there was any time we can figure out some type of a plan for something beyond the normal recreational program that doesn't involve sports. Some place children can go where they are safe to do constructive things and end those issues.

Councilman Cimiluca thanked Mr. Marino for his work as a commissioner.

Mr. Emil Sudol of van Luyn Terrace thanked Mayor White and Mr. Lo Dico. He said he comes here month after month complaining about the flooding on Fifth Street and they stepped forward and got stuff done. They got the pipe cleaned out under 46, they got the pipeline cleaned out, the brook. He said Mr. Lo Dico got the county prisoners to help out, and that's a really good thing, and it's much appreciated. At the last meeting it was discussed, it did storm again, and it flooded. He said Councilman Cimiluca had mentioned other towns with cars floating, and that's exactly what we don't want to happen to us. There's probably still an issue there, and anything that we can do through the engineer to maybe run another pipeline into that brook. We really didn't get that much water during the last storm. It seemed like it was a flash flood kind of thing. It dissipated quickly, but then you get those long rains – we only got 2 inches, but what if we got 4 or 5 or 6 inches? That whole neighborhood gets punished. This water goes into people's houses, and the sewers back up, and it's really nasty. I know I come up here every month, and I talk about this and believe me, it's a very, very important issue.

Mr. Sudol mentioned Amloid. He said that place looks terrible and asked if the Council could do something, contact the owner to spruce up the place, do something. All the other businesses there have landscaping, flowers and trees and shrubs, and you look at that thing. It looks like Aleppo. It's horrible. It looks like a bombed out building. It's just going to get worse. It's been sitting that way for a long time. Can we get this owner to do the right thing and spruce it up a little bit, paint, anything?

Mr. Sudol said 4th of July he was at a BBQ on Ackerman and there was water coming out of the road. He called the cops, and they contacted the DPW and it was a water main leak. The road was starting to bubble up. The water department came out like an army with back hoes and trucks and five hours later, done, fixed. These guys were awesome, you've got a really good crew.

Council President D'Arminio said Mr. Sudol's time was up. Mr. Sudol said he really wished they would extend the time because he didn't even get into what he wanted to get into.

Council President D'Arminio said it's three minutes.

Mr. Larry Ratajczak of 92 Claremont Avenue said he thought Council President D'Arminio should have told people on Tuesday that there would be a 3-minute time limit. In three minutes you can't do anything for the amount of mistakes that are made up here. Also I believe you did campaign, you said you were against the five-minute rule, and once again you're going back on your word again. Your word up there means absolutely nothing.

Mr. Ratajczak said Mr. Lo Dico said they did an inside inspection on Park 80 Plaza. They did a drive by. It was Title 91 like you said. They don't go into the building. I don't want to waste a lot of time on that because I didn't know I was only going to have 3 minutes. I told the Mayor the other night the hotel still has 15 ambulances, the bus company, the trailers and everything else. It's a mess over there.

Mr. Ratajczak said we had a hearing about the Zoning Board issue. We had a decision, and the building is still in operation. The application was denied, the word denied means denial or whatever, and if it was done in the proper way, the business would have never been opened. You come first to the board first or go to the building department first. What happened between the building inspector and the property owner, I don't know. That will come out in court, whatever happened there. To me, anybody in town now that was denied by the Zoning Board should go ahead and just operate and build and do whatever they want because you're providing case law for them that you're not doing anything to this building, so how can you do anything to me? It was a fair hearing. The applicant has the opportunity to appeal just like any other resident, but these residents because who they are, the mother is on the Council, the son is on the Zoning Board, they think they breathe different air, and they should not be entitled to breathe different air.

Councilwoman Mazzer asked at what point is this harassment? At what point?

Mr. Ratajczak said I have the floor. It's public information.

Councilwoman Mazzer said I wish someone would – meeting after meeting –

Mr. Ratajczak said I believe I have the floor. She can wait until I'm done because she hasn't talked in 12 years, and all of a sudden she's talkative.

He continued that the building inspector or the zoning enforcer should enforce the decision of the Zoning Board. If the Zoning Board has no power then we don't need one. If we're going to let the building inspector go around granting this, granting that, granting this, we don't need zoning, we don't need planning. It's the Council who appoints the Zoning Board.

Council President D'Arminio said Mr. Ratajczak's time was up.

Councilwoman Mazzer asked Mr. Suarez if we were talking about a Township employee, wouldn't we have to give a Rice notice? Mr. Suarez said yes. Councilwoman Mazzer said meeting after meeting after meeting this man has come up and disparaged a reputable business in town, and it's also in appeal process and we allow him to do this?

Mr. Ratajczak said the truth hurts.

Council President D'Arminio admonished Mr. Ratajczak that he was done and pronounced him out of order.

Mr. Ratajczak repeated the truth hurts.

Mr. Suarez said he and the Mayor had a two-hour discussion with Mr. Ratajczak after the meeting on Tuesday, and he spoke with Mr. Ambrogio before and after that meeting, and everything he had told Mr. Ratajczak was in accordance with Saddle Brook law. The process is being followed in accordance with law and that anything that was done by the building department, Tony Ambrogio, that remedial action has been taken on all fronts. I did answer all of those questions. Mr. Ratajczak had a different idea as to what was the reason before the Zoning Board

why the application was there. That was not correct what he believed. Yes, it is being followed in a process that is in accordance with law. It's in court right now. He said I prefer that the Council not discuss it because it's an open issue. The proper procedures are being followed on all ends by Planning and Zoning Boards and any court action, so that dispels with regard to any kind of irregularities that are being thrown about here. That answers that issue. The other issue is certainly if you or anyone in your family have any kind of – obviously at the beginning of the meeting the administrator or clerk reads a statement that anyone speaking speaks for themselves and can subject themselves to court action. That is when someone is putting themselves at risk by saying things that may not be correct, that may be incorrect, that maybe there's malice being said with regard to those statements, and also if there's any kind of damages that can be proven then obviously that individual would have the ability to bring her own course of action. If it's something that anyone on the Council or an individual believes there is a wrong being committed here they have the right to take action if they would like, legally on that end.

There is a 3-minute rule and there's public comment for those three minutes so people can comment, however in their commentary, obviously, it's not protected if it's false, malicious and in any way derogatory.

Councilwoman Mazzer said so basically he could come up, or anyone could come up and disparage anyone at any time, and us as a Council we do not take action on that? Mr. Suarez said you do have the ability to – if he's saying something that's incorrect or that's causing harm or causing damage in a defamatory way anyone on the Council has the right to bring a cause of action against them with regard to the damage that's being inflicted as a result of their statements.

Mr. Suarez said with regard to the specific issues that are being raised, these were heard, we sat down, we listened. I tried to answer all Mr. Ratajczak's issues that night. What I found from the Building Department is what I told you was correct. The denial and the reason this matter went to the Zoning Board in the first place was on the use issue, was not on this building –

Mr. Ratajczak said that's your opinion.

Mr. Suarez said that's not my opinion. I have a letter of denial from the Zoning department which says exactly what I told you, which is why it happened in the first place. Why the applicant was before the Zoning Board is correct, and why he's now got to go in front of the Planning Board again, I told you why and that was reaffirmed through the construction code official as to the reason why he's going there. As far as I'm concerned the questions that were raised have been answered.

Councilwoman Mazzer said so he can still come up meeting after meeting then?

Mr. Suarez the only you'd be able to prevent him from doing that would be to get some sort of an order to prevent him from doing that. A judicial court order.

Councilwoman Mazzer said I will do what I got to do.

Mr. Ratajczak said you're being sued once.

Council President D'Arminio admonished Mr. Ratajczak.

Councilwoman Mazzer said I don't know what you're talking about.

Mr. Ratajczak said you'll find out this week.

Council President D'Arminio admonished Mr. Ratajczak again.

Councilwoman Mazzer said I'm so afraid. Really.

Mr. Ratajczak said I'm not threatening.

Councilwoman Mazzer said and this is a member of our Zoning Board.

Mr. Ratajczak made a comment and Council President D'Arminio told him he would be asked to leave.

Mr. James Mazzer of 264 Midland Avenue said I don't come to many meetings, I watch some of this stuff on TV. Basically my opinion is Larry is a bully. He's a bully at the Zoning Board meetings, he's a bully at these meetings, and he wastes so much of your time, it's a sin. You really have to do something because there's regular working taxpayers that look at this stuff and go why are they even addressing it? It's just a sin. He bullies you. He's talking when – he shouldn't even be talking. If this was years ago he would have never been allowed to do that. They would have gotten rid of him as soon as he opened his mouth. Everything is through the chair. Why this happens, I don't know, but there's a lot of hard working people in Saddle Brook that can't make the meeting, but they watch it once in a while, and I tell you everything you guys do is really nice and well, but you've got a bad egg. That's all I have to say.

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

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Gierak - yes

Councilman Accomando - absent

Council President D'Arminio – yes

Comments

Councilman Cimiluca said Market Street is being repaved and re-lined so that will be a smoother ride for everyone from Main Street and Rochelle Avenue to the Elmwood Park border at Midland.

Also the area of UPS where they used to have the trailers on Midland, they put in curbs and sidewalks and now they have a buffer area, and they've planted a bunch of arborvitae and some bushes there, so hopefully that will be a little visual blockage and spruce up the neighborhood.

Councilman Cimiluca thanked and praised the new police hires and the Mayor for hiring them and the Council for budgeting for it. It brings us up to 33 officers after we had Captain Laurentino and Officer Williams retire. He thanked them for their years of service, and he wished the new officers well and a long and safe career.

Regarding speed humps he said he was speaking to an engineer before about that and explained we did have a report, and the Mayor probably will be speaking about that report and how much it costs. The first step generally is when people say people are speeding down my street. Everyone thinks whoever goes around their neighborhood is going too fast, and a lot of times they are correct. Generally, the way it works is we get some complaints, and as the complaints mount the Council will get together and see if it justifies having our engineer do a survey or a study as he did on President Street. After that study, we will make a determination based on the results of that as to whether or not we want to go in that direction. It's a process, but certainly we appreciate you coming here and advising us because unless someone says it, we don't know. We can see things visually, but unless we happen to be over your house that day or just walking down the street, we're not going to see a bunch of cars zipping by.

Councilman Cimiluca thanked all the volunteers with St. Philip's carnival and wished them the best of luck. He said the Mayor would speak about National Night Out, and this is the second year in a row that we're having National Night Out.

He said he's a big proponent of recreation, and we have taken our first step by hiring Mr. Andy Gallo as our full time recreation director. Hopefully we will be able to have some programs. He said we're going to have a trip to City Field on August 9th for \$40 to watch the Mets and suggested residents contact Town Hall for more information as spots were limited.

Councilman Cimiluca said Wednesday night next week we're going to have a movie in the park in Veterans' Field. We start with hiring a full time rec director, and now we have some programs. One of the biggest issues that we use to have was a lot of complaints with fields and a lot of conflicts. Having the full time rec director I think was one of the smartest moves and one of the fiscal things that we have done that really paid off because we have had very very limited complaints from parents and children and the coaches and commissioners on that.

He apologized for not being able to attend the soccer event celebrating winning their championships, and he congratulated the soccer teams.

He mentioned the first reading of the crane ordinance and said we spoke to the insurance carrier, and their suggestions were placed into the ordinance. He said he was fully on board with the ordinance and would be voting yes.

Regarding the senior housing, Councilman Cimiluca said hopefully in the next two weeks the building would be coming down. The funding is in place, and some time in the fall we will start. It's been a long time, and we understand that, but when it's done – a lot of good things take time.

Councilwoman Mazzer congratulated the new police officers and thanked and praised the Police Department for the great job they did with the traffic. It was a nightmare for quite a few commuters, but they did the best they could and tried not to inconvenience everyone. She congratulated and welcomed Councilman Gierak.

She said she saw the fireworks on Facebook and they were awesome. She thanked the VFW and everyone that helped make it such a great success.

Council President D'Arminio congratulated the police officers and their families and wished Captain Laurentino good luck in his retirement.

She said one of the reasons she instituted the time limit this evening and going forward was because of the meetings and how they've been going. In the last two weeks she said she's met numerous residents in town and gotten all kinds of complaints and so many of them said 'I'm not even going to watch the meeting anymore.' She said she hoped that putting the time limit on will bring it back to a better level and added although Mr. Ratajczak says she went against her campaign promise, it's something that is definitely due.

Council President D'Arminio said August 7th Mr. John Biale from Bergen County Housing will be at the Senior Center at 1:30 to discuss the senior housing. They will answer all the questions, they will be there for two hours. Please call the center because we only have room for about 109 people. She welcomed Councilman Gierak.

Councilman Gierak thanked the Council for appointing him and said the Township's best interests are in his heart, and whatever he can do to move the Township forward and do the right thing for the people of Saddle Brook, that's why he's here.

He thanked the VFW for the fireworks and the Police Department, the ambulance corps – it was a great event, well attended, and everyone really enjoyed it.

Councilman Gierak said in regards to some of the comments that were made in regards to safe streets, how could you not be for safe streets? We need to do something. We need to make sure that people are abiding by the law whether it's 25 miles per hour, whatever it is. In addition, we do have professionals that know the best course of action. I'd like to hear from them and see what we could do to keep our streets very safe in town. In regards to recreation, I'd like to see programs be expanded. I've been a teacher in Garfield for the past 20 years. In Garfield

there's a recreation center, there's a boys and girls club, there's a YMCA and again, not to compare the two, but I think there's more that we can do in regards to recreation. I'd like to commend the Council on what they have done in regards to hiring a full time recreation director. I thought that was an outstanding move. I appreciate everybody coming out tonight, and at this point I think I've said enough.

He congratulated the police officers and said he was sure they would do a great job. The process is very rigorous and very stressful. He wished them well and wished Captain Laurentino and Officer Williams well on their retirements.

Mayor White thanked the Kiwanis for sponsoring the Fishing Derby on Saturday, June 10th at the park and providing refreshments and trophies for everyone. He thanked Police Officer Matt Benus for arranging to stock the lake at this own expense. He thanked his secretary Christine Genuario for supervising registration and helped organize the event, and he thanked Ms. Joanne Brendel who took photos which can be viewed on the Town's website and Facebook page.

He said the fireworks were a great show and thanked the VFW for sponsoring the celebration every year. He thanked all the emergency services personnel, fire department, fire prevention, emergency management, police department, ambulance and department of public works. The event was videotaped by Enlacosa, and they did a great job. That can be viewed on our town TV and on Facebook.

Mayor White mentioned the travel soccer awards on July 6th at the Senior Center, and he congratulated all the athletes and the four teams that won their individual championships. He thanked Recreation Director Andy Gallo and said he's doing a fantastic job, as well as soccer commissioner Mike Kenney, the executive board of soccer and all the coaches, volunteers and parents for their commitment and support. He thanked the athletes and said they work very hard and represent Saddle Brook in a positive light.

Mayor White said after our local AARP meeting on July 10th officers from the Bergen County Sherriff's office K-9 unit did a presentation and demonstration with the police K-9s. It was really well done, and the seniors loved it. He thanked Sherriff Saudino and the officers who took time from their busy schedules.

Regarding the crane ordinance, Mayor White said he thought it was a great thing. We've been discussing it for a long time, and basically we will require a permit to use certain heavy duty construction type cranes in the town. The operation of a crane presents some serious safety concerns, and this ordinance basically regulates the operation and use of the cranes by insuring that the operators are properly licensed and the cranes are inspected and insured according to all state and federal regulations. Hopefully that will pass on first reading tonight.

Mayor White said they did a great job paving. They broke it up into three segments. He thanked the public and the businesses in the area; they were very patient and cooperative through it all. Of course we got some complaints. The biggest complaint came from Anthony who was late.

Regarding the road program he said we have initiated the road resurfacing program and allocated \$2.2 million to repair 10 roads over the next few years. Those roads that will be completed this year are Williams Street Phase II, Kenny Place and Claremont Avenue - it's in bad shape, and it's a road that's used a lot. President Street is going to be paved by Public Service, most of the street, but there's portions that they're not because they do work there so we're going to chip in and finish that whole street. We also have the 2014 water project, the bond, they completed the work on Fifth Street. Third Street and portions of Wilson Street are going to be paved. Fifth Street is going to be utilizing DOT grant money. Hopefully that will all be done by the winter. We have a signed contract with Colonial Bonding Company who has hired Vanas Construction Company out of Bogota to complete the Veterans' Field Concession Stand and the bathrooms. He said I signed that contract yesterday. Colonial is meeting with Vanas next week, and they are going to determine a start date. Hopefully that will be started very shortly. That needs to get done. It's an eyesore there. It's unsightly, and it's a bad reflection on the town.

Every day we've been on it, and hopefully we're going to start and get it done by the winter.

Mayor White said I attended the central Bergen Community Block Grant meeting on June 29th, and at that meeting we considered the grant application awards. It's a group of ten panels that get together, and the money is basically distributed by these towns. Councilwoman D'Arminio and I attended a meeting where we presented our application to the whole group. We requested \$225,000 for public facilities improvements, storm drain rehabilitation, which is Phase III for Liberty and Leswing, and \$34,000 for the public service category, which is our senior citizen bus. We did very well. You don't get what you request, but we did the best we've ever done. We got \$165,000 for public facilities, and \$22,000 for public service. That's \$187,000, which is very good.

Now these grant amounts have to go before the US Department of Housing and Urban Development, but they probably will go through. That drainage problem on Liberty and Leswing, Phase I and II, which we already received money in previous years, that's due to start sometime very soon. We're having a preconstruction meeting next week.

Mayor White said he wanted Mr. Arango to discuss the sewer flooding on Fifth Street because he was getting questions from residents that are we going to pave and not fix that problem. He said Mr. Sudol hadn't mentioned the issue of sewage coming up through the manhole, but that was another problem.

Mr. Arango said certainly with the sanitary sewer, PVSC is coming out next Tuesday to clean the lines at Fifth and Market, and they're also going to be videotaping them so we can take a look at the condition of the lines. We have taken videotape of the sanitary sewer lines along Fifth Street. We're looking at that, and likewise we are looking at the storm drainage pipes themselves. It is under design right now, and part of the repaving is with the DOT, currently we are waiting to hear from them. We are on it.

Mayor White said it's been brought to my attention, and it kind of makes sense – part of that problem may be the illegal use of sump pumps in that area because sometimes people may pipe their sump pump right into the waste line, and that excess going into the waste line infiltrates the sewer and could cause that kind of a problem. Something that we could do to maybe eliminate that or at least inspect and do something to reduce that is maybe require residents to get a permit if they have a sump pump and maybe do an annual inspection. Some towns do that, which would be something to look into. We'll leave that to the engineer to decide if that's a good approach.

Mayor White asked Mr. Arango through the chair to discuss the speed study on President Street.

Mr. Arango said we did do an analysis of President Street and reports through Title 39, and the requirements for the warrant of a speed hump according to Title 39 are the municipal road shall be marked 30 miles an hour or less, and the number of vehicles per day must be less than 3000. On President Street the number of vehicles per day that we logged for seven days was approximately 1200 vehicles per day, therefore it does meet the warrant for a speed hump. The implementation of a speed hump is a permanent feature, so it really should be as a last resort. Enforcement should be used initially, but when enforcement doesn't work, and the Council feels they have a condition which they want to implement a speed hump to control speed, our analysis indicates that we can. I know there are temporary speed humps that municipalities have used to try out. I was in a town, and they were complaining about the speed, and they wanted to use the rumble strips, so we designed them, we put them there, and the person who was actually complaining about the speed wanted the rumble strips, and no sooner were they in and he was back at the Council yelling at me saying he can't sleep at night because of the noise. Speed humps, unfortunately, don't solve everything. If you're looking to control speed, speed humps do a very good job. They've got to be designed properly, and most importantly they have to be installed properly. Most of

us have probably hit some speed humps where they are not installed, it's almost like a hard table, and you feel as though you're going to lose your whole front end. A speed hump should be properly designed so that at 20 miles an hour your body doesn't hit the top of the car, but it does force you to slow down.

Mayor White asked about the cost.

Mr. Arango said when you put in a permanent speed hump you have to put in proper striping, proper signage, and you also have to mark it for your snow plows so they know it's coming. They range about \$5,000, and you can put them in at any time. I know PSE&G is going to be paving President Street. Certainly you wouldn't want to put in a speed hump now and have them paved. We can do that after they pave.

Councilman Cimiluca said I know we've spoken about speed humps, speed bumps and speed tables that we have spoken about. He asked if Mr. Arango was talking about them all generically.

Mr. Arango said speed humps and speed tables are allowed, speed bumps are not allowed. Speed bumps are the ones that you see in old parking lots that look like a half moon, that if you hit that doing 2 miles an hour you feel as though your whole front end is going to come apart. Speed bumps are not allowed.

Councilman Cimiluca said the speed table estimate of \$5000 – would that be consistent with both the speed hump and the speed table?

Mr. Arango said yes, a speed hump is a parabolic curve, a speed table brings the car up, then it's level, then it comes down again. It's a preference.

Mayor White mentioned upcoming events including National Night Out at Washington School from 6 to 9 on August 1st. It's an annual event held around the country on the first Tuesday in August, so this year it falls on August 1st. It's meant to increase awareness of police and public safety programs that we have. The Police Department is assisted by members of the fire department, ambulance corps and emergency management. Basically it's a way to bring the community together to meet those men and women who help keep us safe.

Our work session will be held earlier. Instead of being at 6:30 we're going to start at 5:30 on Tuesday, August 1st. We will also be having our annual picnic on Saturday, August 26th from 12 to 4 at the county park. There will be food, live bands, entertainment, games and activities for children. It's open to all Saddle Brook residents, admission is free. You must register ahead of time. He asked if residents could register at the event.

Council President D'Arminio said they would have a table at the event, but we're going to have it at the Senior Center, the Library and Town Hall.

Mayor White said we do have the recreation activities, the Mets Game on August 9th and the Movie Night at Veterans' Field. Beauty and the Beast is August 12th, and the gates open at 7:30. You can get more information on the Township website or call the recreation department at 201-403-3281.

The new tax rate has been put on hold by Bergen County due to the adoption of the state budget that allocated additional dollars to the Boards of Education. Our Board of Education received about \$40,000 more, but that's putting a little bit of a hold, so please check our website for further details and updates on that. It shouldn't take too much longer. The Mayor's Youth Group has been discussing fund raising for the cost of a sitting area or a bench or picnic table for the Kern Place Park. There's no place to sit there, as Mr. Sudol brought up. One of the Youth Group members watching the meeting picked up on that and thought it was a good idea.

The Youth Group is also going to have a table at National Night Out, and we're going to be painting rocks next Friday to give away to attendees at National Night Out, and they're going to write different messages of kindness on them. This was

something brought up by one of the parents. Apparently this is a new fad that the kids like to do.

We're going to have a summer celebration, a swim party at the Rochelle Park swim club. We were supposed to have it tomorrow, but rain was expected, so we cancelled. It will be Friday the 21st.

Mayor White thanked former Councilman Joe Camilleri for his service to the Township and wished him well and welcomed Councilman Gierak. He congratulated the new police officers and their families and Captain Laurentino and Officer Williams upon their retirements.

ORDINANCES

1. ORDINANCE #1628-17 – FIRST READING AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED CRANES

The Council President announced that the next order of business is the introduction of **AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED CRANES**

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

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

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

CR# 717-163

Be it resolved that AN ORDINANCE ESTABLISHING A NEW CHAPTER OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED CRANES 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 3rd day of August, 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 Cimiluca

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

2. ORDINANCE #1629-17 – FIRST READING

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY TO FIX THE SALARY AND WAGES OF EMPLOYEES, SERVANTS OR PROFESSIONAL STAFF FOR 2017 (WHITE COLLAR)

The Council President announced that the next order of business is the introduction of **AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY TO FIX THE SALARY AND WAGES OF EMPLOYEES, SERVANTS OR PROFESSIONAL STAFF FOR 2017 (WHITE COLLAR)**

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

Motion: Councilman Cimiluca

Second: Councilman Gierek

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

CR# 717-164

Be it resolved that **AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY TO FIX THE SALARY AND WAGES OF EMPLOYEES, SERVANTS OR PROFESSIONAL STAFF FOR 2017 (WHITE COLLAR)**

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 3rd day of August, 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 Gierek

Councilman Cimiluca - yes
Councilwoman Mazzer - yes
Councilman Gierek - yes
Councilman Accomando - absent
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: Councilwoman Mazzer

Second: Councilman Cimiluca

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

Under discussion, Councilman Cimiluca voted yes with the understanding that the minutes of June 1st and June 19th had been corrected and amended as per his notations from the work session.

** Councilman Gierak voted yes while abstaining from voting on the minutes of June 1st and June 19th.

Mr. Lo Dico asked Mr. Suarez if this was acceptable and did not require a separate vote, and Mr. Suarez said yes.

* MINUTES

1. June 1, 2017 Regular Public Meeting
2. June 19, 2017 Special Public Meeting
3. June 27, 2017 Special Public Meeting

* RESOLUTIONS

TOWNSHIP OF SADDLE BROOK RESOLUTION

RESOLUTION TO URGE REPRESENTATIVES FROM THE STATE OF NEW JERSEY TO SUPPORT THE LEGISLATIVE ACTION TO RE-AUTHORIZE AND EXTEND THE NATIONAL FLOOD INSURANCE PROGRAM ("NFIP")

CR# 717-165

Prepared by Mayor White

WHEREAS, floods are the most common and most destructive natural disasters in the United States; and

WHEREAS, the National Flood Insurance Act authorizes a National Flood Insurance Program ("NFIP"); and

WHEREAS, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and to provide access to affordable, federally backed flood insurance protection for property owners; and

WHEREAS, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods; and

WHEREAS, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value of claims paid; and

WHEREAS, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which amounts to over 230,000 policies enforced throughout the State of New Jersey; and

WHEREAS, the NFIP maintains a significant role in providing financial protection against flood events to New Jersey residents; and

WHEREAS, the NFIP is set to expire on September 30, 2017; and

WHEREAS, the expiration of this program could cause catastrophic loss of insurance coverage against flooding which is the number one cause of loss of property throughout the United States; and

WHEREAS, in the event the program were to expire, the consequences in the form of disruption of coverage and the potential financial burdens to residents throughout the State of New Jersey will be of great economic significance; and

WHEREAS, the purpose of this Resolution is to urge the Township of Saddle Brook Federal Representatives to support the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public and private losses due to flooding events in the State of New Jersey

NOW, THEREFORE, BE IT RESOLVED, that the Township of Saddle Brook hereby urges its Federal Legislators and Representatives to take any and all necessary action to insure that the National Flood Insurance Program is extended beyond the September 30, 2017 expiration date.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to Township of Saddle Brook Federal Legislators and Representatives.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 717-166

WHEREAS, upon being notified on June 1, 2017 that a property owner on a parcel of property referred to as 106 Platt Avenue, Saddle Brook, NJ 07663, also known as Block 604, Lot 1, assessed in the name of Anthony J. and Migdalia Rios, is classified as a 100% permanently disabled Veteran as of September 12, 2016; and

WHEREAS, a refund is due to the mortgage company for the second quarter of 2017;

NOW, THEREFORE, BE IT RESOLVED, that a refund be issued to PNC Bank, P.O. Box 1804, Dayton, OH 45401 in the amount of \$1,787.76.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-167

WHEREAS, upon being notified on June 1, 2017 that a property owner on a parcel of property referred to as 106 Platt Avenue, Saddle Brook, NJ 07663, also known as Block 604, Lot 1, assessed in the name of Anthony J. and Migdalia Rios, is classified as a 100% permanently disabled Veteran as of September 12, 2016; and

WHEREAS, a refund is due to the property owner for the 2014 Homestead Rebate which was credited on the May 2017 tax quarter;

NOW, THEREFORE, BE IT RESOLVED, that a refund be issued to Anthony J. & Migdalia Rios, 106 Platt Avenue, Saddle Brook, NJ 07663 in the amount of \$313.24.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-168

WHEREAS, upon being notified on June 1, 2017 that a property owner on a parcel of property referred to as 77 Graham Terrace, Saddle Brook, NJ 07663, also known as Block 1513, Lot 42, assessed in the name of Albert and Marjorie Pellegrini, is classified as a 100% permanently disabled Veteran as of April 6, 2016; and

WHEREAS, a refund is due to the property owner three quarters of 2016 and two quarters for 2017;

NOW, THEREFORE, BE IT RESOLVED, that a refund be issued to Albert and Marjorie Pellegrini, 77 Graham Terrace, Saddle Brook, NJ 07663 in the amount of \$10,159.31.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-169

WHEREAS, upon being notified on June 1, 2017 that a property owner on a parcel of property referred to as 106 Platt Avenue, Saddle Brook, NJ 07663, also known as Block 604, Lot 1, assessed in the name of Anthony J. and Migdalia Rios, is classified as a 100% permanently disabled Veteran as of September 12, 2016; and

WHEREAS, a refund is due to the property owner for one quarter of 2016 and one quarter of 2017;

NOW, THEREFORE, BE IT RESOLVED, that a refund be issued to Nationstar Mortgage, LLC, 3001 Hackberry Road, Irving, TX 75063-0191 in the amount of \$4,312.00

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-170

WHEREAS, the Township of Saddle Brook desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$20,000 to carry out a project that will provide diverse and integrated recreational opportunities for children and young adults with disabilities.

THEREFOR, BE IT RESOLVED

1) that the **Township Council of the Township of Saddle Brook** does hereby authorize the application for such a grant; and,

2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between **the Township of Saddle Brook** and the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

_____ (signature) Robert D. White _____ (type or print name)	_____ (signature) Peter LoDico _____ (type or print name)
_____ Mayor _____ (title)	_____ Township Administrator _____ (title)

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-171

WHEREAS, Aqua Infrastructure Rehabilitation d/b/a Tri State Grouting was awarded a contract in the amount of \$173,000.00 for cleaning and televising of storm sewer from N. 5th Street to State Route 46; and

WHEREAS, Richard G. Arango, Twp. Engineer, during the course of the work being performed by Aqua Infrastructure Rehabilitation d/b/a Tri State Grouting recommended change order #1 : -\$5,000.00 for contract reductions; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby approves Change Order #1 for Aqua Infrastructure Rehabilitation d/b/a Tri State Grouting for a total amount of —\$5,000.00, a total contract amount of \$168,000.00, providing funds are available

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-172

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>
*ORD – FIRE	AAA EMERGENCY SUPPLY	THERMAL IMAGE CAMERA	\$6,290.00 + Shipping
*DPW	BEYER BROS.	REPAIRS GARBAGE TRUCK	\$8,954.47
DPW	W.F. TIMMERMAN CO.	SWEEPER REPAIRS	\$3,061.28
*DPW-SEWER	RAPID PUMP AND METER	REPAIRS TO MAYHILL PUMP	\$3,544.43

***POLL TAKEN OF COUNCIL**

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
 RESOLUTION**

CR# 717-173

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 **\$3,772.13** 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: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-174

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 **\$3,002,687.47** 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: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-175

BE IT RESOLVED by the Township Council of the Township of Saddle Brook County of Bergen, State of New Jersey that the following licenses be renewed for the year 2017-2018 and the Division of Alcoholic Beverage Control be so notified.

PLENARY RETAIL CONSUMPTION LICENSES

<u>STATE LICENSE NO.</u> <u>AMOUNT</u>	<u>NAME</u>
0257-33-016-010 \$1275.00	MJC Enterprise Holding T/A Midland Brew House 374 Midland Avenue Saddle Brook, NJ 07663
0257-33-017-003 \$1275.00	Ed's Tavern, Inc. c/o Ed Wilczynski 118 Colonial Avenue Saddle Brook, NJ 07663

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-176

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 water main became inoperable and was in need of repair on Market Street and Finnigan Avenue; 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 \$ 29,107.00, which is a fair and reasonable cost; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the Capital Fund in Ordinance # 1603-15; 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 Frank Semeraro Construction Company, 333 Ratzler Road, Wayne, New Jersey 07470, be paid therefore.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Gierak - yes

Councilman Accomando - absent

Council President D'Arminio - yes

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-177

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 the installation of the insertion of a water valve and replacement of a broken water valve became inoperable and was in need of repair on Market Street and Fifth Street; 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 \$ 21,698.00, which is a fair and reasonable cost; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the Capital Fund in Ordinance # 1603-15; 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 Frank Semeraro Construction Company, 333 Ratzler Road, Wayne, New Jersey 07470, be paid therefore.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED PAPAIIYA REAL ESTATE INVESTMENT, LLC
V. TOWNSHIP OF SADDLE BROOK
AT 66 MARKET STREET, BLOCK 619, LOT 2
FOR TAX YEARS 2013 THROUGH 2016.**

CR# 717-178

WHEREAS, Papaiya Real Estate Investment, 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 66 Market Street and identified on the Township's tax maps as Block 619, 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.
- 2) The assessment for tax year 2014 to be reduced from \$1,368,000 to \$1,250,000 resulting in a refund of \$3,092.
- 3) The assessment for tax year 2015 to be reduced from \$1,368,000 to \$1,325,000 resulting in a refund of \$1,167.
- 4) The assessment for tax year 2016 to be reduced from \$1,368,000 to \$1,250,000 resulting in a refund of \$3,381.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED RONALD & HELEN SCHNITZER V. TOWNSHIP OF SADDLE
BROOK
AT 182 & 186 SADDLE RIVER ROAD, BLOCK 907, LOT 26
FOR TAX YEARS 2014 THROUGH 2016.**

CR# 717-179

WHEREAS, Ronald & Helen Schnitzer has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 182 & 186 Saddle River Road and identified on the Township's tax maps as Block 907, Lot 26 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 \$881,700 to \$433,600 resulting in a refund of \$11,740.
- 2) The assessment for tax year 2015 to be reduced from \$881,700 to \$390,240 resulting in a refund of \$13,343.
- 3) The assessment for tax year 2016 to be reduced from \$881,700 to \$390,240 resulting in a refund of \$14,080.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED KEITH REALTY ONE, LLC V. TOWNSHIP OF SADDLE BROOK
AT 100 ROUTE 46, BLOCK 404, LOT 1
FOR TAX YEARS 2013 THROUGH 2017.**

CR# 717-180

WHEREAS, Keith Realty One, 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 100 Route 46 and identified on the Township's tax maps as Block 404, Lot 1 for tax years 2013 through 2017; 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: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED BLDG SADDLE BROOK LLC V. TOWNSHIP OF SADDLE BROOK
AT 160 PEHLE AVENUE, BLOCK 1005, LOT 4
FOR TAX YEAR 2016.**

CR# 717-181

WHEREAS, BLDG Saddle Brook 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 160 Pehle Avenue and identified on the Township's tax maps as Block 1005, Lot 4 for tax year 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 term:

The assessment for tax year 2016 to be reduced from \$12,549,000 to \$7,000,000 resulting in a refund of \$158,979.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED HAMPSHIRE GLOBAL PARTNERS, LLC V. TOWNSHIP OF SADDLE
BROOK
AT 301 MAYHILL STREET, BLOCK 1008, LOT 5.02
FOR TAX YEARS 2015 AND 2016.**

CR# 717-182

WHEREAS, Hampshire Global Partners, 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 301 Mayhill Street and identified on the Township's tax maps as Block 1008, Lot 5.02 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 \$11,475,300 to \$7,600,000 resulting in a refund of \$105,214.
- 2) The assessment for tax year 2016 to be reduced from \$11,475,300 to \$6,800,000 resulting in a refund of \$133,947.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED PARK 80 2005, LLC V. TOWNSHIP OF SADDLE BROOK
AT 160 PEHLE AVENUE, BLOCK 1005, LOT 4
FOR TAX YEARS 2013 THROUGH 2016.**

CR# 717-183

WHEREAS, Park 80 2005, 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 160 Pehle Avenue and identified on the Township's tax maps as Block 1005, Lot 4 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.
- 2) The assessment for tax year 2014 to be reduced from \$12,549,000 to \$10,000,000 resulting in a refund of \$66,784.
- 3) The assessment for tax year 2015 to be reduced from \$12,549,000 to \$9,000,000 resulting in a refund of \$96,355.
- 4) The appeal for tax year 2016 to be withdrawn by Complainant.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED SSN REALTY LLC V. TOWNSHIP OF SADDLE BROOK
AT 190 ROUTE 46, BLOCK 105, LOT 1
FOR TAX YEARS 2012 THROUGH 2016.**

CR# 717-184

WHEREAS, SSN Realty 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 190 Route 46 and identified on the Township's tax maps as Block 105, Lot 1 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 be reduced from \$4,617,600 to \$2,986,100 resulting in a refund of \$35,648.
- 2) The assessment for all other tax years to remain unchanged.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED RONALD & HELEN SCHNITZER
V. TOWNSHIP OF SADDLE BROOK
AT 178 SADDLE RIVER ROAD, BLOCK 907, LOT 27
FOR TAX YEARS 2014 THROUGH 2016.**

CR# 717-185

WHEREAS, Ronald & Helen Schnitzer has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 178 Saddle River Road and identified on the Township's tax maps as Block 907, Lot 27 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 \$750,300 to \$433,600 resulting in a refund of \$8,298.
- 2) The assessment for tax year 2015 to be reduced from \$750,300 to \$390,240 resulting in a refund of \$9,776.
- 3) The assessment for tax year 2016 to be reduced from \$750,300 to \$390,240 resulting in a refund of \$10,316.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED KEITH REALTY ONE, LLC V. TOWNSHIP OF SADDLE BROOK AT 376 JEFFERSON STREET, BLOCK 404, LOT 7 FOR TAX YEARS 2013 THROUGH 2017.

CR# 717-186

WHEREAS, Keith Realty One, 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 376 Jefferson Street and identified on the Township's tax maps as Block 404, Lot 7 for tax years 2013 through 2017; 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 \$3,564,700 to \$3,136,100 resulting in a refund of \$11,054.
- 2) The assessment for tax year 2014 to be reduced from \$3,564,700 to \$2,638,100 resulting in a refund of \$24,277.
- 3) The assessment for tax year 2015 to be reduced from \$3,564,700 to \$2,886,100 resulting in a refund of \$18,424.
- 4) The assessment for tax year 2016 to be reduced from \$3,564,700 to \$2,786,100 resulting in a refund of \$22,307.
- 5) The assessment for tax year 2017 to be reduced from \$4,509,000 to \$3,836,100.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 717-187

WHEREAS, the Township of Saddle Brook advertised for bids for recycling; and

WHEREAS, 2 bids were received and opened on June 21, 2017; and

WHEREAS, the Township Attorney has reviewed the bids received; and

WHEREAS, the apparent low bidder, Joseph Smentkowski, Inc., Jersey City, NJ did not submit the required documents as required under the state bidding laws; and

WHEREAS, the Chief Financial Officer has completed a certificate of availability of funds certifying that funds are available in the 2017 budget,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby extends the existing contract with Gaeta Recycling for the month of July 2017 and hereby awards the bid to Gaeta Recycling, 278-282 West Railway Avenue, Paterson, NJ for one year commencing August 1, 2017 with a bid price of \$126,000.00 providing funds are available.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-188

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the "State Pay to Play" Law, enacted by the New Jersey State Legislature shall become effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award a contract with a value in excess of \$17,500.00 to a business entity that has made a contribution within one year of the date the contract is to be awarded that is reportable by the recipient under P.L. 1973, c. 83 (c. 19.44A-1 et seq. to a municipal political party committee in that municipality if a member of that party is serving in elective public office when such contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contact is awarded unless the contract is awarded under a "fair and open process" pursuant to N.J.S.A. 19:44-20.1 et seq.; and

WHEREAS, a "fair and open process" constitutes the following: (1) public advertisement of a Request for Proposals ("RFP") with ten (10) calendar days' notice prior to the receipt of responses to the "RFP"; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under public disclosed criteria established in writing by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

WHEREAS, it has become necessary for the Township of Saddle Brook ("the Township") to engage legal and financial professional and to engage the services of other individuals for extraordinary unspecifiable services by a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et seq.

NOW THEREFORE BE IT RESOLVED, by the Township of Saddle Brook, County of Bergen and State of New Jersey that RFPs for professional services for the following professional services are hereby authorized:

- (1) Grant Writer**
- (2) Water Operator License**

BE IT FURTHER RESOLVED, that all RFPs for the professional services and extraordinary unspecifiable services as set forth hereinafter shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq., and all submissions in response shall be evaluated on the basis of the most advantageous submission, all factors considered, included by not limited to:

- (1) Experience and reputation in the field;**
- (2) Knowledge of the Township and subject matter to be addressed under the contract;**
- (3) Availability to accommodate any required meeting of the Township of Township Agency**
- (4) Any other factors demonstrated to be in the best interest of the Township of Township Agency**

BE IT FURTHER RESOLVED that the Township Clerk is directed to public notices of the RFQs for the professional services and extraordinary unspecifiable services enumerated above, in a newspaper circulated in the Township of Saddle Brook by July 20, 2017. The notice of RFQs shall include the following:

- (1) A description of the requested professional or extraordinary unspecified service for which the RFP is made;
- (2) A statement that Qualifications must be submitted by 10:00 a.m. on August 1, 2017;
- (3) A statement that the RFPs are being made by the Township
- (4) The address and phone number of the Township Clerk's office and a statement that applicants may obtain the RFQ document from the Clerk's office;
- (5) A statement that the RFP is being made through fair and open process in accordance with N.J.S.A. 19:44A-20.1 et seq.,

BE IT FURTHER RESOLVED that the Township Council has determined that the terms of this resolution constitute a fair and open process as to all positions included herein.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 717-189

WHEREAS, Community Development requires that the Township Council confirms by resolution the Mayor's appointments for 2017-2018.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the Mayor's appointments of:

Mayor Robert White
93 Market Street
Saddle Brook, NJ 07663

And

Peter Lo Dico
93 Market Street
Saddle Brook, NJ 07663

As the Mayor's Alternate are confirmed by this resolution.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-190

WHEREAS, Community Development requires that the Township Council appoint a representative for the coming fiscal year beginning July 1, 2016 through June 30, 2017,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the Mayor's appointments of:

Councilwoman Karen D'Arminio
537 Avon Lane
Saddle Brook, NJ 07663

Is hereby appointed to the Community Development Committee; and

And

Councilwoman Florence Mazzer
128 Claremont Avenue
Saddle Brook, NJ 07663

Is hereby appointed as alternate.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 717-191

WHEREAS, the Planning Board of the Township of Saddle Brook has previously approved the application for Otto Home Goods; and

WHEREAS, an indemnification agreement has been prepared in accordance with the said application; and

WHEREAS, said indemnification agreement is annexed hereto and is acceptable to the Planning Board Attorney and the Township Attorney; and

WHEREAS, the indemnification agreement must be executed by the Mayor of the Township of Saddle Brook;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook as follows:

1. **The Mayor be and hereby is permitted to execute the attached indemnification agreement.**

The contract breakdown is as follows:

- Original Contract \$ 705,124.50 705,184.50
- Change Order No. 1 \$ 39,695.60
- **Amended Contract Total \$ 744,820.10**

This office recommends that the Township approve of a Change Order No. 4 which increases the contract by \$39,695.60 or 5.6%.

Should you should have any questions, please feel free to call our offices at (201) 624-2137.

5. **Richard Arango, Twp. Engineer** **Re: 2015 Water and Roadway Improvements to Wilson & 3rd, Payment Recommendation No. 7**

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

Enclosed please find Payment Request No. 7 from Reivax Contracting for work performed on the above referenced project. Remington, Vernick & Arango Engineers has reviewed the certificate with the contractor and agrees with the partial payment noted.

Therefore, we recommend that the following payment be made to **Reivax Contracting** in the amount of **\$128,905.52** for Certificate No. 7.

Should you should have any questions, please feel free to call our offices at (201) 624-2137.

6. **Richard Arango, Twp. Engineer** **Re: 2014 Water Main Project at North 5th Street, Payment No. 8**

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

Enclosed please find Payment Request No. 8 from Reivax Contracting for work performed on the above referenced project. Remington, Vernick & Arango Engineers has reviewed the certificate with the contractor and agrees with the partial payment noted.

Therefore, we recommend that payment be made to **Reivax Contracting** in the amount of **\$59,884.37** for Certificate No. 8.

Should you should have any questions, please feel free to call our offices at (201) 624-2137.

7. Richard Arango, Twp. Engineer Re: Claremont Avenue Roadway Improvement Project Engineering Proposal

To: Peter Lo Dico, Twp. Clerk Date: July 12, 2017

REMINGTON VERNICK & ARANGO ENGINEERS is pleased to submit this proposal to provide professional services for the above-referenced project. The scope of work includes the selective replacement of curbing, the upgrade of stormwater inlets pursuant to NJDEP regulations, the installation of curb ramps that are compliant to the Americans with Disability Act (ADA), milling, and resurfacing.

The limit of work will involve approximately 2,700 feet long of Claremont Ave from Westminster Avenue to Fairview Avenue.

SCOPE OF SERVICES

1. Utilize Aerial mapping and field surveying to obtain existing conditions of the roadway and prepare existing condition base plans. Since the work will occur only within public right-of-way, the physical location of property lines will not be field located.
2. Provide design to provide new concrete curbing and curb ramps. We understand that the Township desires to install curbing where curbing is missing or otherwise not serviceable.
3. Prepare the construction plans, specifications, and engineer's construction estimate for obtaining construction bids for the project.
4. Assist in the bid opening, review of bids, and recommend award of the contract.
5. Provide part-time construction observation services during the construction phase of the project.

PROJECT COST

The anticipated project cost(s) are detailed as follows:

Estimated Construction Cost.....	\$295,000.00
Preparation of Contract Documents and Bidding Services.....	\$29,500.00
Construction Administration.....	\$22,125.00
 ESTIMATED TOTAL PROJECT COST.....	 \$346,625.00

We await your written authorization to begin preparation of the required documents for bidding.

We trust the information provided meets your requirements for this project. Should you have any questions, comments, or require additional information, please feel free to contact the undersigned at our Secaucus office.

8. **Stephen Pellino
Basile Birchwale and
Pellino, LLP**

Re: Otto Home Goods, Inc.

To: Mayor and Council

Date: July 10, 2017

As you know, I serve as the attorney to the Planning Board of the Township of Saddle Brook. I understand there may be some concern in connection with an indemnification agreement given by Otto Home Goods, Inc. in favor of the Township of Saddle Brook, which the Township has been called upon to execute.

This matter stems from an application before the Planning Board for property known as 4 Rosol Lane, Saddle Brook, New Jersey. That property, at the time of application to the Planning Board, was occupied by one tenant for use as a commercial warehouse. As presently exists, there are various parking spaces around the building, including eight 90 degree parking spaces on Rosol Lane. The application of Otto Home Goods was simply to allow it to take over half of the existing warehouse space and utilize that space as a warehouse, similar to the use of the tenant that previously occupied the entire property. The site plan called for the new tenant to share the existing parking. In that context, the Planning Board was faced with an existing parking situation that would not be changed by the occupancy of the new tenant. The Planning Board made clear that in giving site plan approval, it was not specifically approving the parking arrangement on Rosol Lane, other than acknowledging that it was existing. The angled spaces on Rosol Lane extend into the right of way and as a consequence, the Planning Board asked for the indemnification agreement.

The indemnification agreement that is being presented to you is a result of my review and, quite frankly, my strong rejection of the initial draft offered by the attorney for

Otto Home Goods. As it stands now, I believe it is in the best interests of the Township to execute same.

Should there be any further questions, please do not hesitate to contact me.

*** RAFFLES/APPLICATIONS**

Raffles & Bingo

1. RA# 1257 – Saddle Brook Woman’s Club – 50/50

*** REPORTS**

1. Municipal Court Monthly Report – May 2017
2. Sanitarian Monthly Report – May 2017
3. Animal Control Report – April 2017
4. Hotel Room Tax Report – June 2017
5. Senior Center Monthly Report – May 2017
6. Fire Prevention Monthly Report – May 2017
7. Water Operator’s Report – May 2017
8. DPW Monthly Report – May 2017
9. Engineer Mid-Monthly Report – June 2017
10. Water Department Report – May 2017
11. Water Operations Monthly Report – June 2017
12. Construction Code Monthly Report – June 2017
13. Property Maintenance Official Report – June 2017
14. Budget Status Report – June 2017

OLD BUSINESS/NEW BUSINESS

Councilwoman Mazzer asked for a motion to appoint a Fourth Alternate to the Zoning Board. She nominated Mr. John Manzo.

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 717-193

APPOINTMENT OF ZONING BOARD MEMBER FOURTH ALTERNATE - UNEXPIRED

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that

JOHN MANZO SADDLE BROOK

Is hereby appointed to fill the unexpired term on the Zoning Board of Adjustment for a term to expire on December 31, 2018.

Motion: Councilwoman Mazzer

Second: Council Cimiluca

Under discussion, Councilman Gierek explained he was abstaining because he did not know Mr. Manzo.

Roll Call:

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

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

Motion: Councilwoman Mazzer

Second: Councilman Gierek

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

Mr. Larry Ratajczak asked how we are paying for the tax appeals. Council President D'Arminio said we are bonding, that's why we had the closed session with the auditor, tax attorney and the attorney the other night.

Mr. Ratajczak asked how much we are bonding.

Council President D'Arminio said right now we have \$2,299,611.75. We initially had settled \$1,359,000. These \$940,000 is additional of what he just settled. But the auditor didn't really give us – I think there are some outstanding. She mentioned \$3 million and asked Mr. Lo Dico if that was correct.

Mr. Lo Dico said it was an approximate figure.

Mr. Ratajczak said there's one in here for 2016. I thought we weren't going to have that with the new people re-doing the revaluations. Mr. Lo Dico said that's for 2017. It was done in 2016 and took effect in 2017.

Mr. Ratajczak said so the commercials can still come in and get – I see the commercials on here, the same people all the time. The same thing. Nothing has changed. Look at this one here on Pehle Avenue - \$66,000; \$96,000. They just keep getting it and getting it and getting it. Here's another one \$105,000; \$133,000. What are we doing? They're still getting their tax appeals. I thought we paid all the old tax appeals that we had. We were supposed to clean them all up.

Council President D'Arminio said this is included in the old. Mr. Ratajczak said after this, do we have any old more old stuff? Do we have any more bills in the drawer or do we have them all out now? Council President D'Arminio said as of this, the 2299, that's what we have right now, but the auditor is bringing us a final number so I can say this is what we have in front of us right now.

Mr. Ratajczak said so there will be no more of this? Mr. Suarez said these are old ones and we had a meeting on Tuesday and they are still trying to get their hands around and clean up and put together and package away these old appeals. So there may be some more.

Mr. Ratajczak asked why didn't we include these when we did the old ones? When we did the other ones?

Council President D'Arminio said we just settled them, we have a new attorney. The new attorney took over in January and he's been working on all of these.

Mr. Ratajczak said we didn't know about it. We should have been told that we still have some things hanging there over our head. Two million dollars, you know what I mean? Just saying, a way to do business.

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

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Gierek - yes

Councilman Accomando - absent

Council President D'Arminio – yes

Councilwoman Mazzer said for those of you who do not know our duty up here as Council people is to appoint Zoning Board members. It's the Mayor's obligation to appoint the Planning Board members. When we consider a Zoning Board member, as that is our duty, we consider fair and just people that are going to help our residents and our businesses comply, not go on a witch hunt and go above and beyond their authority. They have a Bible right here, and they put their hand on it to uphold the law just like the police officers did today, and that is our duty, and it's our duty to everyone to get a fair share. Not for their applications to be aired in public before it is heard, not to be pre-determined by another Zoning Board member. That is not the way the process is supposed to be. That is not fair. It's a witch hunt, and it's not fair at all. If there is anyone out there that feels that they have been treated unfairly, feel free to contact me. I'll be more than happy to put a cause action – whatever I have to do, against whoever I have to do. My number is 201-403-6262. I have two businesses in town. You can reach me there any day from 7 AM to 6 PM. I'll be more than happy to entertain you. I will not sit up here and have anyone – anyone be bullied on any level. Thank you.

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

Motion: Councilman Cimiluca

Second: Councilman Gierek

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

Meeting adjourned at 8:41 PM.

Respectfully submitted,

Peter Lo Dico, RMC CMC
Township Clerk

Approved: August 3, 2017

Karen D'Arminio
Council President