

The minutes of the regular Public Meeting of the Township Council of the Township of Saddle Brook held on June 1, 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 Camilleri – absent
Councilman Accomando – present
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 remain standing to observe a moment of silence in memory of Sister Michele, retired principal of St. Philip the Apostle School, and Roberta Kamper, retired Saddle Brook employee.

Council President D'Arminio announced that adequate notice of this meeting has been sent to all Council members by police messenger on May 26, 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.

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

Motion: Councilman Cimiluca Second: Councilman Accomando

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

Mr. Emil Sudol of Van Luyn Terrace noted there was a big storm on the day after the last council meeting. He presented photos of Fifth Street and Victor Street flooded out and said one of the DPW trucks parked right in the center of the road because one of the storm sewer caps blew off, and it was just spewing some really ugly stuff into the flood waters. He said this problem happens several times a year, and he has brought this to the Council's attention many times. He asked if there was anything that could be done to alleviate the problem which happens any time we have a major rain storm. The water does recede quickly sometimes, but sometimes it doesn't. He mentioned again the nasty stuff flowing into the floodwaters and sidewalks and onto people's lawns and driveways and said this is very close to the Little League ball field where kids play.

Mr. Sudol referenced the resolution regarding paving on Fifth Street and said it really needs it, but if there's anything else that can be done to alleviate this problem. He said he was afraid if we pave Fifth Street and then we find out that we have to put a new sewer pipe in, having to rip it all up again would be a very large expense to the Township. He implored the Council to help out with this.

Mayor White said they had completed work behind the factories. The Mosquito Commission, in conjunction with the County, came in; they also used inmate labor and had a backhoe in there to clean that creek out.

Mr. Sudol asked if the Mayor thought this would eliminate the problem. Mayor White said that's a big part of the problem, but there's one other thing we have to look at to really correct the problem. He said he had not yet discussed that with the engineer.

Mr. Sudol asked again, if there was anything the Council could do. He then mentioned the little park/playground on Kern directly across the street from the ball field where he sees grandparents with their grandkids or moms taking their kids to go on the jungle gym. He suggested a park bench or picnic table would be nice there.

Council President D'Arminio suggested a memorial bench.

Mr. Sudol asked if the investigation into the Zoning Board member had been completed.

Mr. Suarez said it had.

Mr. Sudol asked what the outcome was, and Mr. Suarez said we did get a report, recommendations were made with regard to what the Township should do and with regard to certain procedures that should be followed. The Township Council went forward with regard to these recommendations, and it's still presently an open issue. He explained at this point it's not permissible to discuss until it's concluded because it is technically a matter for executive session.

Mr. Sudol asked if any wrong doing was found.

Mr. Suarez said he did not want to discuss it in open session at this point. When the matter is resolved, then he would be more comfortable discussing it in open forum. Mr. Sudol asked if we would find out maybe by the next meeting. Mr. Suarez said there are certain dates that need to be met with regard to some of the recommendations. Certainly at some point when the matter is concluded then it would be right for a limited discussion. There are also certain matters that involve personnel, employees and things of that nature, so it is, in certain respects, a matter that does call for some confidentiality. When the matter is resolved, we will gladly disclose what can be and should be disclosed to you upon your request.

Mr. Larry Ratajczak of 92 Claremont Avenue said he did not think the road Mr. Sudol discussed should be paved because there's no way you can pave a road with raw sewage coming out of it. He said this would be a continuing issue until whatever is fixed and explained rainwater is mixing with the sewerage and it's pushing it up. He said the building is empty right now, but when it's developed there will be more. We will only be wasting our money paving it. We've been working on the road for 40 years, we'll still be working on it for another 40 years. There's definitely problems there that need to be fixed.

Mr. Ratajczak said he didn't know if we could ever stop the people from hooking their sump pumps up to the sewers but that's a problem and the system just can't handle it. He said he hoped the Council would make the decision to suspend repaving.

Mr. Ratajczak said he found it very odd that the senior housing person only attends work sessions and not Council meeting. He said he did not like his answers and noted that despite the County saying there is asbestos inside the building and wanting to knock it down, they have been training for the last five years.

Councilman Accomando said he did not blame the asbestos, he blamed it being unsafe. Mr. Ratajczak asked how do we let people train in there if the building is unsafe? All of a sudden out of nowhere now the building is unsafe. It's been standing there for 50 or 60 years or 100 years, now all of a sudden it's unsafe. I

just don't like what's going on. He doesn't have good, solid answers. They're not – the funding is in place – they're not solid answers. He doesn't want to make a commitment. I don't know. I would have a hard time trusting him if I was in a business venture with him.

Council President D'Arminio said [the representative] would be at the AARP meeting in August, but that will be a whole two-hour question and answer. Mr. Ratajczak said we need him *here*, let him go on TV and let the whole town see him, not just a hundred or two hundred seniors. They don't know what to ask him. Mr. Ratajczak said he's very evasive and he did not trust him and did not like his answers. He said if that building is unsafe, what do you call Carucci's? Safe? Good? That roof caved in. I don't even know if that roof's caved in. I know Carucci's roof caved in, I know there's broken windows in Carucci's; I know there's food in Carucci's; I know there's animals in Carucci's. I know Bergen County Sheriff's Department isn't training in Carucci's. I know that. They wouldn't. That's a building that's unsafe, so if we're going to move or – let's get the buildings that we know. Amloud has been an eyesore for ten years now, we don't do anything with that. Now all of a sudden this thing is very dangerous and it's unsafe. I don't like the way that we're proceeding with him and under his guidance.

Council President D'Arminio said he will be back in July. Mr. Ratajczak asked if we could have him at a meeting instead of a work session. Mr. Suarez said when you bring someone to your regular meeting that's when you're officially going to take action or there's some decisions. I thought the work session was just for discussion with respect to the broad issues that he's discussing, which is kind of what he brought up involving the possibility. If he does come to a regular meeting, would that be when you're going to finalize and formalize whatever it is that's being proposed?

Mr. Lo Dico said there's nothing to act on. Council President D'Arminio said he's just coming to bring the rendering. We will invite him to come to the meeting. Mr. Ratajczak said he should come with that. I had to ask him for that. The council asks very few questions. When you have a guy that's supposed to be that valuable you should be able to drill him and get your answers from him and be prepared, but there were very few questions asked. We should have a drawing of it.

Mr. Ratajczak then asked what's happening with Veterans' Field. He said Councilman Accomando had said he was being given ten days. That's was last month.

Councilman Accomando said the Township gave him ten days to respond.

Mr. Ratajczak said it had been thirty.

Mr. Suarez said we are hopefully going to have a final decision on the matter tonight, but we have an executive session because there's another attorney involved. Mr. Ratajczak said I thought when you said ten days, boom, ten days, that's it. The last meeting was May 4th – May 14th is ten days. Today is June 1st.

Councilman Accomando asked if we had another bill.

Mr. Suarez said we did the due diligence that was necessary with regard to moving forward on this. We've had meetings. There was a changeover with the engineering. Now Rick is the new engineer here, and he had to come up to speed. We had a meeting with the representatives of the bonding company. We have one direction that we can go in, however there may be another option that's out there. I don't want to go into detail. I'm assuming tonight we're going to vote on it. Mr. Lo Dico said I would think so.

Mr. Ratajczak said we have to make a decision. If you give somebody a ten-day time frame, that's May 14th. We should be ready to make a decision May 15th. Here we are June 1st, and we're just maybe talking about it tonight, and if it doesn't get finalized we go another month. Do you have another contractor lined up?

Mr. Suarez said other than the one that has been proposed by the bonding company? Because that contractor has been proposed to us with regard to finishing the job. I don't think there has been another meeting since that meeting, so you couldn't have discussed it anyway unless you had the public meeting which is why we're doing it tonight, correct? This is the last meeting. He explained they had been meeting and said we are ready to move tonight if we can. There is one other issue that needed to be resolved, and that should be resolved tonight. If it is, then we're ready to roll. Everything is in place.

Mr. Ratajczak asked do you think maybe we can send the DPW there and clean that up a little? There's trash all over. Mr. Lo Dico said they had been notified. Mr. Ratajczak asked as of when. Mr. Lo Dico said as of about a week and a half ago. Mr. Ratajczak said he was there Sunday. There's a cooler that's been there since the snow. It looks trashy. Even if we're not building, try to keep the site clean. There's clean construction sites and there's dirty ones, and that one is a dirty one and that one belongs to the town. It's an embarrassment. People pull in to use the field, and that's what they see. It looks horrible.

Mayor White said they would clean it up.

Mr. Ratajczak said we have to do things, they're not hard things to do. He said he happened to disagree with the letter in the Community News involving the crossing guards. Last month he said he did the math, and he would do the math again, using ten crossing guards as an example. He said he did not know how many we have or how many are dispatched for lunch time. Lunch time is an hour and a half. If the crossing guard makes \$20 an hour, it's \$30 a day. They work 180 days a week [sic] as the Mayor stated. Do \$30 times 180. Do the math – it's \$5400 a year. It's a four-year contract. It comes out to \$216,000. For that amount of money we can hire two full time cops for the money, and we're only having the extra protection out there for 180 days, and it's only for an hour and a half every day at say ten locations. If you would take that money and put it into hiring two extra cops, you have them all the time. We said it's give and take. They ask for 2%, correct?

Mr. Lo Dico said they asked for more. Mr. Ratajczak said you gave them 1.75. He said it's just money that's foolishly spent and foolishly wasted, and it's going to end when they retire. So what happens if the person works four years? That's what it comes out to, and that's only ten crossing guards. I'm sure we put more than 10 out there. Are they union or non-union?

Mr. Lo Dico said they have an association. Mr. Ratajczak said an association but not a union. You didn't go against the teamsters or anything like that, did you? No, but they pretty well shook you down for that. I would like to have that negotiator, or I would like to negotiate a contract and have somebody lay down for me like that. You can't do it. You can't give the store away, and that's what we're doing. We're giving the store away. If we need that extra protection and we need that person, hire two more cops. What would be better for the town? The safety of the town, two cops or ten crossing guards? He concluded that it was a bad contract.

Mr. Ratajczak then asked what happens when an employee or a board member has charges against him, are they suspended or are they still allowed to sit on the boards and still tell people what to do and what not to do when they are in violation of it? He said I believe that the town or the Council or the Mayor should suspend that person until they go to court or the thing is done. If they're found guilty they're dismissed. If they're found not guilty they're re-instated. It's that simple.

Mr. Suarez explained that the boards are autonomous bodies and that issue should be brought to that board.

Mr. Ratajczak said if the Zoning board is an autonomous board, the Zoning board should have investigated him, not the Council. He said he didn't care who investigates him. He said when I don't do nothing wrong, I don't do nothing wrong. But you can't make a rule for me, you can't make a rule for him and you can't make a rule for him. If we're all going under the same rules, we'll play by the same rules and that's the rules that we should play with because I was a member of the Zoning Board, correct? And the Zoning Board you just said is an autonomous

board, so why did the Council step in and investigate me? Or hire an attorney to investigate me?

Mr. Suarez said first being that it's still an open issue. Mr. Ratajczak said eventually it's going to close, so don't worry about it. But we're playing with two sets of rules here. Mr. Suarez said the other thing is, I don't want to get into the mechanics of the way the whole thing ended up being opened. Mr. Ratajczak said I'm going to tell you, and I don't care whether it's in litigation or whatever – it was a retaliation whistle blowing suit. I turned Mrs. Mazzer's son's building in for an illegal apartment and illegal use, and they retaliated against me. That's exactly what the whole lawsuit is going to be about. So you have your end of the investigation, and I have mine, but the dates and the timing and everything matches up to almost to perfection, and that's what happened there. After cooler heads prevail now, I don't think it was such a good idea on the town's part to do what they did. There's two sides to every story. Judgement day will come, and the questions will be answered.

Mr. Suarez said I think it follows the recommendations of an independent attorney. Mr. Ratajczak said still the Zoning Board is an autonomous board, not the Council. The Zoning Board takes care of the Zoning Board, correct, if it's an autonomous board. Mr. Suarez said the Zoning Board is appointed by the Council, it's autonomous. Mr. Ratajczak said listen to me, you're a lawyer, you're good at this – the Zoning Board is an autonomous board, the Zoning Board takes care of itself, it polices itself, yes or no?

Mr. Suarez said to some degree because the statute allows for the Township Council to – Mr. Ratajczak said if there was criminal activity on my end or bribes being taken or anything else, then you'd get the police involved, you'd get the prosecutor involved, you'd get whatever and the investigation is handled very quickly, but when you're looking for something, or you're looking to take somebody out, you've got to bend the rules a little, and you've got to flex the rules and that's exactly what happened here. And we're not doing it in a case where we should be doing it because I know if I was a resident and I was denied something by that vote, I would be back in here. The town is leaving themselves open for more lawsuits for people who have been denied.

Mr. Suarez said the matter Mr. Ratajczak is talking about is being handled in the appropriate channels, and as for the authority of the Township Council in the end, again the final removal vote is through the Council. Mr. Ratajczak said I'm just saying the rules should be the rules for everybody and we should have a set of rules in place when something like this happens because how would you feel if you were denied by a person sitting up there, and he's doing what you want to do and you were denied? And he's been doing it for years? You would say something is wrong with this town, something's wrong with this board. Who is that guy to sit up there and tell me I can't do this, and yet he has it? Again, preferential treatment.

Councilman Cimiluca clarified that Mr. Ratajczak was saying the Council should have some kind of operation in place. Mr. Ratajczak said I don't care if it comes from the Mayor, the Council or whoever. Councilman Cimiluca asked if that is if the Planning Board member has an issue involving zoning or planning or any kind of issue? A Zoning Board member gets arrested for drunk driving. Mr. Ratajczak said I think the Mayor would step in and handle that. If the person is found not guilty, fine. If he's found guilty, I wouldn't want him on the board. I wouldn't want a drunk driver making decisions for me. I might be prejudiced, but I wouldn't.

Councilman Cimiluca said in in the meantime while that person is under investigation and possible prosecution, should that person not be on the board? Mr. Ratajczak said I say yes because what happens is they play the court system and you drag it out. If you're not guilty, you want to go to court right away and get it resolved. If you're guilty of doing something, you want to prolong it, and that's what's happening here. Summonses were issued in November. We still haven't gone to court yet, that I know of.

Mr. Suarez cautioned the council not to discuss anything based on the issue here.

Mr. Ratajczak said he was asking the town if they could look into putting something in place and treat all members the same. Mr. Suarez said the MLUL does address these issues, and in terms of procedures there are certain procedures followed. They took themselves out of being personally involved in the issue by having an outside attorney come in, and they are following recommendations and are following through with that.

Mr. Ratajczak said that's on my end of it, what happens on the other side? Mr. Suarez said he didn't think it was a good idea to talk about matters still ongoing. Mr. Ratajczak said I wouldn't feel bad if you came to me and said you were going to investigate me and put me on suspension. If I had nothing to hide, I would say fine, suspend me. When the thing comes back in, if I'm not guilty I go back on. If I'm guilty I go off. That's all. It's that simple. You have to have some kind of plan or punishment or removal while that person is under investigation.

Mr. Suarez said this is the United States of America. Mr. Ratajczak said right, you're innocent until proven guilty, but certain things – you voluntarily go out. If you want to fight it fine, fight it, but you should be man enough to step down and say look, you do your investigation, if I'm guilty I'm out, if I'm not, fine. But don't stay there and tell other people what they can do and what they can't do when you're guilty of doing it.

Mr. Suarez said I can tell you based personal experience, that when people want you to step down and you step down or you resign from something like that, that gives the wrong impression to the public. You look like you're guilty, so in this case, this is an open, ongoing investigation.

Mr. Ratajczak said it's not step down, it's just you're on suspension or whatever. That's all until the investigation is completed. That's all. You're not fired, you're not whatever, you're just suspended until your case comes up or your case is served because you can drag it out for a year, two years, you can keep it in court. Put it this way, it's not good business, and it just doesn't smell right. Put it that way. I'm sure the people that were denied would like to know that, that came in for applications and were denied certain things.

Councilman Cimiluca said through the chair, you're talking about you should take yourself off. It's no secret, and you know it and you're not embarrassed by it. You had complaints filed against you. Mr. Ratajczak said I still don't know what they are. Councilman Cimiluca said in the past, and Mr. Ratajczak said, in the past, sure. I did everything. Councilman Cimiluca asked if Mr. Ratajczak took himself off the board while those were pending. Mr. Ratajczak said he didn't believe he was on the board back then. I don't know. If you can look it up and find it – I'm just saying if it involves what you do, if you're a Zoning official or Planning official and you're charged with something, it's right in that thing.

Mr. Ratajczak said he had asked Mr. Lo Dico about the re-assessment of Park 80. Mr. Lo Dico said he checked with the person who did the assessment and got an e-mail back – all commercials were visited, inspected and sent income and expense requests, chapter 91 via certified mail, so they were all inspected physically. Mr. Ratajczak asked about the whole Park 80 Plaza, and Mr. Lo Dico said yes. Mr. Ratajczak asked if that guy did that for the \$75,000 this year including all the houses and if he did all the commercial businesses. Mr. Lo Dico said yes. Mr. Ratajczak said it's impossible to do Park 80 Plaza, Zuckerberg's, the Marriott and all of that, all for that \$75,000. He said the people that he had walking around to do the houses I told you, were not licensed in anything. They went around with an iPad, and they just did this – how many bedrooms you have – they'd be lost in Park 80 Plaza. They wouldn't be able to find the elevator. Nothing against them and not for \$75,000. That building alone would cost over \$200,000 to do an appraisal and assessment on. Just that building alone. We're not getting what we're paying for or we're not paying – because we're not getting anything. We're getting a drive-by, that's it. That's what we're getting a drive-by. That's another thing that's not a good thing.

Mr. Ratajczak said regarding property maintenance, I see some things have been corrected in town that I brought up out here, but I know there's a house on Victor Street. I know the person personally who lives next door. They've called three times. The grass is over two feet tall. I gave that address the last time I was up here. There's more on Hobson, there's more on Dewey, there's more on the Boulevard. They're all over the place. The one on Victor Street – by Little League – you can't miss that, and there's literally games there every single night, it's an abandoned house. I don't know what we wait for or what height we reach before they go and do that.

Mr. Ratajczak asked about the sanctuary city issue.

Mayor White said I personally feel that there's no need for Saddle Brook to become a sanctuary city. In New Jersey, the Attorney General has issued a directive to all police that says the only time a regular police officer can check into someone's immigration status is if they commit a serious crime of violence or DWI, otherwise they are not allowed to; they're not supposed to. As far as ICE, Immigration, coming to Saddle Brook, I personally wouldn't want to give our police the wrong idea. I wouldn't want to say you can't resist ICE. That's their jurisdiction. That's what they get paid to do. I wouldn't ask my police to break the law. If ICE comes in here and says we're going to go to this house and make this arrest, we have illegal people living there, I wouldn't want my police to put in an awkward position where they're going to violate the law. I may disagree with the policy, but I'm not going to put our police in that predicament where they have to choose between violating the law and doing what me and the Council direct them to do by saying that they shouldn't listen to ICE or should get involved in any immigration issue. It's really out of our jurisdiction. We don't do it. That's the way I feel about it.

Mr. Omar Rodriguez of 275 Madison Avenue said he noticed that Mr. Ratajczak now uses the calculator that he gave to Mr. Cimiluca. He said he came to talk about the issues, but as a taxpayer he thought it was going to cost us a lot of money. He said by the comments he was hearing, it's going to cost the town big money. He said he hoped it doesn't cost any of the elected officials personally out of their pockets and he hoped the town has covered all their bases.

Council President D'Arminio asked if Mr. Rodriguez had a question.

Mr. Rodriguez said he was just following through on the conversation that just happened and through the chair he was trying to say the attorney just mentioned something he thought was wrong. Even though the Zoning Board is an autonomous body, he felt they should have triggered that investigation into one of the members. He hoped we have covered all our bases because at the end of the day the taxpayers are going to pay. He said he would not elaborate because the issue is sensitive and ongoing.

He said he also disagreed with the attorney when he said something about finding guilt. He said if someone is in violation like he was with the gazebo that he put on his patio, they came, they gave him 48 hours or \$500 fine if he did not remove it because he was half a foot within the borderline of his neighbor. He said what I hear tonight is, if someone is in violation, and that is making an application for a D-variance – meaning that they need a lot of different variances, it means that something has been operating illegally. If it would have been legal, there would have been no need to apply now for a D-variance. Therefore the question is valid. How can someone that is making judgements or rulings – if already in violation and is still making decisions on other cases? I think his predicament is valid, and that should be seen from a different angle. For the time being, I will say it's up to the Council, but mainly to the Mayor. I think that the Mayor, with due all respect, should call for a meeting of the Planning Board, Zoning Board because the same items that are being discussed by apparently this gentleman that is being reprimanded/investigated, whatever, some of our other members are doing.

Mr. Rodriguez said I guess it's within the power of the Mayor, in order to avoid any liabilities in the future, to call for a joint meeting of the Planning Board and Zoning Board and dictate the rules, and I know very well, and you know also, that it was a property – and I'm glad that you did that, that he in the Planning Board is not

allowing any property that is less than 65 x 100 because that is what the law – that's what Saddle Brook is all about, 65 x 100. A lot of you say well, I've got a 50 x 100, you are non-conforming, but now this new Mayor came and said you know what, we need to start a new page, and it's going to be 65 x 100 for a house. It just cost a homeowner on Catherine Avenue more than \$65,000 in litigation to go through the whole process in superior court. One home owner. Now we're talking about 50 x 100 or whatever property for commercial – mixed use? I think it's the role of the Mayor what vision he wants for Saddle Brook. With that, I'll rest my case on that one.

Mr. Rodriguez then said he read that the budget had been adopted at a special meeting. He said it would be in the best interest of the Township that those meetings be on TV so that residents can see the interactions between the professionals and the elected officials. He hoped the next budget meeting would be broadcast and said he would make an OPRA request for the entire budget. He then asked what the tax levy was for 2017.

Mr. Lo Dico said what we did was an amendment to the budget, and that's why we had the special meeting, but we had the public hearing at the public meeting of the town – the regular council meeting.

Mr. Rodriguez asked if it had been adopted.

Mr. Lo Dico said yes, we had to do an amendment, which didn't affect the budget.

Mr. Rodriguez said so it's been adopted. If it's been adopted then the tax levy should be very close to you because it just happened a few days ago.

Mr. Lo Dico said I gave it to you I believe two months ago when you asked.

Mr. Rodriguez said no.

Mr. Lo Dico said yes. The municipal tax rate.

Mr. Rodriguez said Mr. Administrator, what I asked for at the time was the tax rate.

Mr. Lo Dico said yes, which I gave you.

Mr. Rodriguez said now he was asking for the tax levy. He asked if Mr. Lo Dico knew the tax levy.

Mr. Lo Dico said we don't know yet. We just sent it to the County. The County Board of Freeholders adopted their budget I believe last night, and once the county gets all the information –

Mr. Rodriguez asked through the chair if any council member or any elected official or any professional could tell him the tax levy. What is the meaning of tax levy? And what is the amount of tax levy for 2017, please?

Mr. Lo Dico said I don't have the budget in front of me, but we did have a public hearing in May; the auditor was here. That was the time for questions. I'd be happy to respond to you in the future. I don't have it in front of me. I didn't bring it.

Mr. Rodriguez said especially to the viewers –

Council President D'Arminio reminded Mr. Rodriguez to speak through the chair.

Mr. Rodriguez apologized and explained the definition of tax levy. He said it should be common knowledge to every resident and every elected official. He said he believed the tax levy for 2016 was \$16,781,000.00, and he wanted to know if it increased, and if it increased, what caused the increase. What are we going to do in the fiscal year 2017? He said since he heard no answer he would put in an OPRA request for the adopted budget, and he wanted to know about the roads.

Mayor White said I don't want to give you the wrong number, but we have an estimate, right? It's around \$20 million, isn't it?

Mr. Lo Dico said the total budget and the tax levy is less than that. We didn't increase that much.

Mr. Rodriguez said the total budget is totally different than the tax levy.

Mr. Lo Dico said the tax levy, as Mr. Rodriguez tried to point out, is just what the people paying the taxes minus...

Mayor White said he understood.

Mr. Lo Dico said that went up minimal because we're going up on an average home \$32.00.

Mr. Rodriguez said if you had the temporary budget in front of you, I can tell you which page.

Mr. Lo Dico said I don't have it.

Mr. Rodriguez said I can tell you – again it's the revenues minus the appropriation equals tax levy.

Mr. Lo Dico said what the people are going to pay. It went up a minimal amount, 1 point something percent of the total budget.

Mr. Rodriguez said as a former Council member and Council President he had always supported the police department.

Mayor White said the tax levy is \$17,276,073.

Mr. Rodriguez said he would get the tax rate and work on the numbers. He mentioned it had taken him a year and a half to try and convince the Mayor to adopt an ordinance in order to eliminate the position of Deputy Chief of Police when and if Mayor Robert White got elected and he resigned from his position. The ordinance got adopted and he said it's saving the town millions of dollars down the road.

Mr. Rodriguez asked the Mayor through the chair if it would be possible to look into hiring more rank and file police officers in town. He explained we currently have three captains for a small police department and asked if they would consider going back to two captains. He said I know that in a small department, a small police department like ours, I don't think that we need to have three captains. This can save us millions of dollars if we start thinking just around \$250,000 per year between salary and benefits, that's what it costs us for one captain and more per year, so just in three years it's a million dollars, and by the way, talking about that, and in using the numbers of the Division of Pension and Benefits of the State of New Jersey, out of 566 municipalities our municipality comes as one of the highest in the State of New Jersey, the highest best paying in the State of New Jersey. The median salary for a police officer in town is \$141,632 – I didn't say that, it's the State of New Jersey. You know what is the median household income for an average home – the average resident in town? \$80,000. That tells you a lot to start thinking about doing something. We are number 9. We shouldn't be happy about that. It's not a reason to be happy - to be number 9 out of 566 municipalities. The number one municipality is Saddle River. Saddle River, for all of you that know, is one of the richest in the State of New Jersey. I believe to build a house there you have to have an acre or two acres just to build one home. You know how much an officer makes over there? A hundred and fifty-five thousand dollars. But the average income of a resident there is \$121,000. In Ridgewood the median income is \$140,000 for a resident, and the cops make \$140,000. I didn't say that. It's the State of New Jersey Division of Pension and Benefits.

Mayor White said our police department does a fabulous job, and they get paid well.

Mr. Rodriguez said no question about that.

Mayor White said those numbers are a little bit deceiving because that's the average pay for officers here in Saddle Brook when you take all of them. I don't believe that's supervisory people, that's just police officers, but we have, in our department, if you look there was a figure that said the average amount of years that an officer has, and with Saddle Brook it was 17 years. Paramus was 10 years, so most of the officers in our department are already at the top pay. It's a little deceiving. It's an average of all the police officers combined, so we have right now 20 police officers, and you divide the 20, and you average out, so that figure is high because the average amount of years is 17.

Mr. Rodriguez said he was following, but it was a concern.

Mayor White said we're in the top 30 in Bergen County, and Bergen County is by far the highest paid, so we're probably in the top quarter of the state.

Mr. Rodriguez said that even gives more weight to the request that I'm asking you to look into the structure. There may be too many chiefs and not many Indians. Also if you are looking for a business administrator in the near future – just in case.

Council President D'Arminio said with Pete sitting here? Really?

Mr. Rodriguez said just in case, just in case. Just in case because that will come out. Just in case. Please let's look at the whole structure. We said that we were saving money with Mr. Lo Dico, and that's what –

Council President D'Arminio said this is personnel. I think this should – do you agree?

Mr. Rodriguez said no because we are just talking about the position.

Councilman Cimiluca said you used the name.

Mr. Rodriguez said because he is the BA sitting here, openly, but I'm saying that a position was open just to assist the BA, so if we have to cross that bridge we have to put everything into perspective, if it's going to be worth it. If it's going to be fiscal, if it's going to be money wise – a good thing for the town, just to put everything into perspective because we don't want to just add up if we already have the personnel.

Mr. Rodriguez noted through the chair that the ordinance that was going to be read did not reach the million dollars and did not include street names.

Council President D'Arminio said we have it.

Mr. Rodriguez said it doesn't say on the ordinance.

Mr. Lo Dico said it's not in the ordinance.

Mr. Rodriguez said he would like to know which streets.

Mr. Arango said there have been three roads – William Street, Kenney Place and President Street, and tonight the Council will consider North Fifth Street. There may be one other street.

Mr. Lo Dico said Mr. Lemanowicz, our former engineer, had identified maybe 6 or 7 streets for a two-year program. One of the streets that we're going to do this year, we're waiting to see if Public Service might be doing some work, so we removed it at this point.

Mr. Rodriguez said last time he was told there was a whole list of roads to be prepared. He recalled \$2.2 million was going to be spent on the road program, and that was going to be bonded for ten roads. He wondered why all ten could not be done in one year. He said Williams was one block, and Kenney was not residential.

He suggested the town would get better pricing for doing ten roads than for one and said there are other roads that are in desperate need.

Council President D'Arminio said the engineer went through the town and determined this list of roads and what needed to be done to begin with.

Mr. Lo Dico said through the chair, you mentioned about doing all the roads at one time, and it was the engineer's recommendation that it be broken up into different contracts and different years. In his opinion that made more sense because we thought the same thing – you get a quantity, you're getting materials, but his suggestion when we had the meeting – we're doing a two-year program which is where the \$2.2 million estimate comes in. It was his recommendation that it be broken up as we've done in past years.

Mr. Rodriguez said he happened to be a kind of specialist in this and asked Mr. Arango if he knew the cost for transporting the paving machines. He suggested bringing the machines and paving all the streets in one or two days. He asked the Council to rethink the situation because the contractors want to come more often because they get better pricing. He mentioned that the state and the municipality are doing a matching grant for Fifth Street. He then asked why we can't enforce the ordinance that when a utility company opens the road they have to pave from curb to curb. He asked through the chair who was enforcing that.

Mr. Lo Dico asked through the chair if Mr. Rodriguez was talking about Fifth Street. Mr. Rodriguez said yes, and Mr. Lo Dico said we did that work. That's water – that's why we're paving. Mr. Rodriguez said recently it was the state working there. Mr. Lo Dico said Fifth Street is the water main – we did it from Market Street to Outwater Lane.

Mr. Rodriguez asked how come the state sent all their people there to check the work? Mr. Lo Dico explained it was through the Infrastructure Trust Fund. Mr. Rodriguez said that is correct. It is a project that they have. Mr. Lo Dico said we have, we borrowed the money from them. Like we did in the past. Mr. Rodriguez said so now we are paying 50% of the paving. Mr. Lo Dico said the project was bonded a couple of years ago for \$1.9 million including paving. The money is there for the paving. We also have grants from the DOT. For the past three years we've gotten grant awards, so that's going to be applied to the paving. The whole project of Fifth Street, we went through the New Jersey Infrastructure Trust Funds – we did a few years back for sewers. We got very low or no interest when the program is done. That was through the State of New Jersey, but we still pay it back.

Mr. Rodriguez said Madison Avenue was recently paved. A company came, and they have done from North Seventh all the way to 46. They patched it, but it's uneven. He asked Mr. Lo Dico through the chair who is checking that. Mr. Lo Dico said he believed that was the looping of the line back from Fifth Street, and that was coming back across 46 to North Seventh. Mr. Rodriguez asked who was enforcing the law. The law says any company like PSE&G – once they break it, they have to pave it brand new from curb to curb. That's what our ordinance reads.

Mr. Lo Dico said we did the project, so of course that's something we would address. It wasn't an outside contractor; it was the Township. Mr. Rodriguez said Madison Avenue, a brand new street, is uneven. How can we accept that as a job, that it was paved like that? Mr. Lo Dico said it's not finished, it's just a patch. Mr. Rodriguez said you know how long it's been? A year and a half. Mr. Lo Dico said Fifth Street. Mr. Rodriguez said a year and a half, two years, so you're in control of that? You are keeping on top of it? Mr. Lo Dico said through the engineer, yes.

Mr. Rodriguez mentioned Claremont, Floral Lane, South Broadway and Fairlawn Parkway and said those are roads that need to be done. They are in desperate need. He said if he heard they were going to do Caldwell, Caldwell is not in bad shape. Mr. Lo Dico said we have a state grant for Caldwell. Mr. Rodriguez asked who chose the streets, and Mr. Lo Dico said the engineer.

Mr. Rodriguez made a proposal through the chair to the Mayor that those streets be reviewed in order of priority. He said even though he didn't live in those areas,

you have to pass by those streets. He knows the County is going to pave Market Street from end to end, but said we as a town should take care of our own first, the ones that are more deteriorated and these are some of the streets that are actually crying for help.

Mr. Lo Dico said unfortunately Mr. Rodriguez was right, every street – we haven't had a road program in 15 or 20 years, and it takes time to catch up on paving the roads. We're going to start doing that. Mr. Rodriguez asked again to please consider if we're going to spend a million dollars and we still don't have the names of the streets, and the names of the streets that are popping up is Kenney, Williams, that's one street from South to Market. He asked if someone could explain that to him.

Council President D'Arminio said they would have the list for him.

Mr. Arango said Williams Street is from Market Street to South Street. Mr. Rodriguez said one block. In this case it's one block. That should be like an extension of anything that we're going to do over there, but not considered part of a project. Mr. Arango said he had Williams Street, Kenney Place, President Street, North Fifth Street, and there are a number of other streets that we had given you including Dana Way, Erie Street, Hayes Drive, Legregni Street, South Broadway, Claremont Avenue. Mr. Rodriguez said now we are understanding each other. Council President D'Arminio said there is a list. Mr. Lo Dico said not all of those streets are part of the program. This is two years. Mr. Rodriguez said those are the streets that were proposed, but are they going to be part of a program any time soon? Mr. Lo Dico said this year or next year. Mr. Rodriguez said all of those streets? Mr. Lo Dico said hopefully. That's where the cost estimate of \$2.2 million came in. Mr. Rodriguez again asked to reconsider doing those three roads, the bids will come and a lower price, whether it's going to be five, ten, fifteen streets.

He concluded by asking Council President D'Arminio to try to enforce or put an ordinance – something needs to be done about the temporary COs. That needs to stop. If someone is doing a temporary CO, then they should not be allowed to live in that property without paying the full taxes. Why can they build a mansion, \$700-\$800,000 with kids in the school system, paying \$4000? For how many years are we going to continue allowing that? It would be nice for everybody if they knew the loophole, they would be doing the same. Hey, I want a temporary CO, but I will never get my permanent CO because I'm going to pay full taxes. It could be up to ten years, but they're still doing it, just paying a fraction of what they're supposed to be paying because they're paying what the little house was, \$4000 - \$5000 but the real value now should be \$12,000 - \$13,000 - \$14,000 in taxes. They build new rooms, but they don't want to pay full taxes.

Mayor White said with this rolling reassessment they're going to pick up on that.

Mr. Rodriguez said he doubted that very much. He suggested having the owner of the re-assessment company sit down one-on-one with them - for a two family house for someone to take a minute and 35 seconds. What can you check in a minute and 35 seconds?

Mayor White said he would be able to tell if it's a mansion. Mr. Rodriguez said but in an hour [sic] and 35 seconds the problem is that they're not checking against nothing. Against nothing.

Mayor White said they're comparing to the old card. Mr. Rodriguez said they care nothing, they just say check, check. Mayor White said they have that information. Mr. Rodriguez said yes, but they're not checking the rooms. That's what I'm trying to say. Mayor White said are they not checking the number of rooms, how many rooms there are in the house? Mr. Rodriguez said nope. Council President D'Arminio said they checked her whole house. Mr. Rodriguez said he wanted to call them on purpose to just see how long it takes them, just being curious. If you can do that through an ordinance, the temporary COs should not be. They should not be inside the residence unless they have a permanent CO because if you are living there it means that it's livable, they're paying taxes. Why do they get to pay the small portion of taxes. Of course everybody would like to pay \$4000 instead of

\$13,000, so that is something that is a loophole, and I believe it should be fair for everybody and older residents that everybody pay their fair share of taxes.

Councilman Cimiluca asked through the chair if Mr. Rodriguez was leaving.

Ms. Marilyn Nasello of 152 Claremont Avenue said she had been there for 24 years now and the street has been paved once. She said if you measured it from Westminster all the way down, I think we're looking at at least a quarter mile, maybe a third of a mile they did eight years ago. If you look at the traffic pattern, whenever Market Street is backed up, they're cutting down my block, and they're flying and I've complained about that. There's a lot of kids on my block, and they're flying down. The amount of potholes, the amount of times that DPW has to come and patch in front of my house. I get a lake in front of my house because of water drainage and the ditches, and they keep patching up the holes. I've blown tires coming out of my driveway with the potholes in front of my house. They patch them, they do a great job patching them, but a patch is not going to survive. The cars fly down in droves, the trucks come down in droves, the buses come down in droves. We're a cut-through block, and if it doesn't get paved soon there's going to be more problems, so anything that can be done for Claremont Avenue, I for one would appreciate it, and about 25 of my neighbors would probably appreciate it, and everyone driving down it would appreciate it. That being said, I know there's an order in which things have to be done, but I also know there have been blocks that have been paved and paved and paved again. What's sadder is when you see a block paved and within a year it's ripped up for something else and it's only half patch-paved. I think things have to be looked at a little bit smarter as well when it comes to that. I don't know whose job that is, I'm just kind of making a general statement. Again if we could look at the order of the blocks and they need to be there at some point. I hope it's not another 25 years.

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

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

Comments

Councilman Cimiluca said he was curious about the math in that we would save \$250,000 if we did not fill the captain spot, and Mr. Rodriguez would be 100% correct if the captain slot would be filled by some outside person who would just come in from another organization and plop them in there, but as we know there are promotions, so the third captain, should there be one, is currently a lieutenant. He said I don't know the pay structure right now, but what ends up happening under our table of organization, a lieutenant becomes a captain, a sergeant becomes a lieutenant and a patrolman becomes a sergeant. Certainly each of them get a raise, but it's not \$250,000 a year. If there is a \$10,000 increase by rank – it's \$30,000 a year as opposed to someone else. It's not like we're taking someone from Ridgewood and say come in and you can be the third captain, certainly he would be right, but he's incorrect when he talks about that.

Another thing that I believe is incorrect and again these are just opinions, everybody up there is just giving an opinion, we're giving opinions. You could like them or not, you can agree with them or not, but they're opinions. When he talked about an investigation and how much money it cost, he fails to realize – the speaker was talking about money saved on an investigation, but he was the person who was the chief architect of an investigation against a former mayor. I believe it ended up costing us \$40,000 to \$50,000. It did not result in a conviction. It did not result even in an indictment, and it didn't even result in an arrest, so talk about witch hunts. That's what it was, and believe me, I was no fan of the person at that

time. Since then I have become, but I was no fan of the person at that time who was being investigated, and it was, in fact, a witch hunt, and I did come to his defense because I thought it was ridiculous that they were getting on him for something that had absolutely no merit. But that individual was the person who cost this town \$40,000 or \$50,000, and it certainly came out to be a whole lot of nothing.

Also he was mistaken when he talked about a D-variance - it's a big issue. It could be a big issue, but it doesn't necessarily have to be a big issue. Before the council changed the zoning ordinance to include places like On the Spot and the VFW and the Saddle Brook Diner, if the Saddle Brook Diner wanted to change their window from a 6-foot window to an 8-foot window they have to come before the board and get what's called a D-variance. They had to go before the Zoning board. So it's more in terms of whether or not you're doing things or you might do something in a zone that you can't do without a variance. That's all it is. Again, a variance means that you're asking for an exception, a waiver. You're asking that the board, who is chosen by members of the Council in terms of the Zoning Board, to allow you to do something that you otherwise couldn't do – such as building on a lot that's not big enough under our laws or putting something that might be four and a half feet from a property line where it says 5.

Councilman Cimiluca said in terms of senior housing we talked about how quick this thing is getting done. At first it went too fast, then it was too slow and now the condemnation or the taking down of the property is too fast now. I would say that we do anything that we can to get that thing down, if you have to declare it a blighted area, if you have to declare it a danger, you do whatever you have to do under the law to get that down. It shouldn't be there, it's useless, it has a negative value as a judge has determined, so just get rid of it as soon as you can. Whatever you have to do under the law to get it done, get it done. My position has always been.

Councilman Cimiluca said in terms of sanctuary cities, certainly I agree 100% with the Mayor on that. This was well before Trump – during the Obama administration we would have ICE agents come to court and they would look at the court calendar and look at names. When they saw someone that had been deported and was back in, they came and when the person left court they would be arrested. I don't get the fact that there are communities and there are government officials that are basically saying this is the law and you can break the law and we'll not only allow you to break the law, but we'll protect you and we're going to stop other governmental agencies which are above us – you're talking about a local police department stopping a federal government from doing their job under the law. I think it's ridiculous.

Councilman Cimiluca said he wished we had the answer regarding flooding. It was strange – every time we've had heavy rains and we've had some heavy rains, I would call Pete and say anything going on? Because I'm thinking of Emil. What's going on on Fifth Street? Everything's fine. We actually had a meeting where he didn't talk about the flooding, and then the next day it rained and Pete called me up and said Fifth Street flooded. That same rainfall - I'm looking on TV, and there are people dying in some towns, so all that being said, I don't know if any houses got it – it's horrible if they did, and I hope they didn't, but some rainfalls, you look at some communities that there are cars floating down the street. In East Rutherford under the train trestle there were cars floating all over the place. Hopefully this last stage will help. I think anybody up here would be lying to say that area is never going to flood. It's like the bottom of the hill. It's off a street called Hillside, and we're a town that's got a body of water in its name, so there is a possibility that there is and our job would be hopefully to stop it, and if we can't stop it completely to try and keep it as little as possible. Also Emil is very involved in the County. Unfortunately I was ill and I could not attend. They had some county meetings. I did speak to the Mayor, and we really have to get on the county because our benches and tables are an eyesore. If anyone from the County is watching this, we're not happy with the way Saddle Brook is treated in Otto C. Pehle Park which we share with Rochelle Park. It's our park, and we'd like it to be given the same care that you give Overpeck or the duck pond over in Ridgewood and some of those areas. We have the Fishing Contest coming up in nine days, and sometimes we have new people coming in –

that's one of the first times that they see in the park other than just the jungle gyms and things like that, and hopefully they'll clean it up so it looks really nice.

Councilman Cimiluca said in terms of the park bench, I always say be careful what you wish for because for every person that says "I wish my grandpa had a place to sit", you're going to have a resident saying "I can't believe you put the park bench there, now we got kids hanging out there and they're smoking cigarettes all hours of the day and night," so maybe we should poll the community and see what they say because they're the ones who are going to be effected by it the most. I don't know.

He concluded by wishing the graduates a safe and happy graduation and success in the future and he wished everyone Happy Father's Day.

Councilwoman Mazzer congratulated the cheerleaders and said she agreed on Claremont – she could not believe the potholes on Claremont. She believed it should be looked into once again. She wished all the graduates congratulations and wished everyone Happy Father's Day.

Councilman Accomando said he agreed with Mr. Sudol – as a parent who did go to that park, something to sit on would be fantastic rather than stand around or kneel on the grass. That's what police are for – if someone is doing something wrong, then the police should be called. They can earn that big salary. He said he also thought about Mr. Sudol the day after the rain, and he spent a few hours with the County and the Mosquito Commission. They did clean it out, they took some big brush out of there, but he said I do believe there's got to be something with the drainage because if you go and clean all that out and it's just getting stuck at an area, I'm no engineer, but I'm thinking that if we have a ten-inch pipe maybe they can go to a 15 or 20 to accommodate the drainage. I was there, and although it helped a little bit, I don't think it will make a big difference with the drainage. We did pull some brush out of there and maybe some debris. I don't think we pulled anything in excess that would help the flow of water through that area. In all fairness, that rainstorm - in less than three hours we got 2.2 inches of rain, so you have to take that into consideration because again, as an employee in Hackensack a seven-minute commute took me 48 minutes that day. That much rain, I don't know if any drainage system is going to be able to handle that.

He wished all of the kids a safe weekend noting it's prom weekend for high school students. He urged them to think smart and think of their parents, and he wished everyone a Happy Father's Day.

Mayor White said he was really concerned about the mention of sewage coming up on Fifth Street. That's something we really have to get with the engineer and find out what the deal is there with that. There was an awful lot of rain. You're going to get flash flooding at the location, but that's a very big concern of mine. Regarding the parks, he said he did get in touch with the County, and they assured him it would be done by the picnic. They're in Van Saun now, the carpenter, and they assured him – he said he has received other complaints about the park benches by the pavilion. He apologized to Councilman Cimiluca about the crane ordinance. He said they took his idea and got together with the risk manager and JIF and they're suggesting some changes regarding the liability coverage, but the good thing is they are 100% in agreement with it; they think it's a good idea. A lot of other towns are doing the same thing. It does indemnify us. The ordinance does totally indemnify us, but they were concerned about some of the coverages. What they suggested is nothing outlandish; it's typical coverage they need to have. The ordinance does apply to mostly heavy duty type of cranes with a lift capacity of ten tons. Most of it is construction, but there are some of those type of cranes that do tree work and other things in town, so it would only apply to the big machinery. We're not looking to go with small equipment; we're not looking to start regulating a back hoe or normal typical type of construction equipment that is used on a daily basis, but these big, huge cranes, it's a lot of liability. It's dangerous when you see the kind of work. We're going to introduce it next month, and I think for the public safety, it's a good thing. I think it's something that other towns are doing, and it will be good for us as well.

Councilman Cimiluca said he wanted to see someone else insurance-wise sign off on it. Mayor White said we had been talking about this quite a bit. At the work session prior we had a big conversation about it.

Mayor White said we received \$24,600 in Clean Community grant funds. We also received notice from the NJDOT 2017 Municipal Aid Program. We received \$165,000 plus for phase II of the North Fifth Street project which is going to be used to pave Fifth Street from Market to Outwater. That's the resolution that we have on tonight. We also received \$40,000 for selling an easement to a Lodi developer, the old chemical company on Main Street, our sewer which goes all the way to Passaic valley. There was a little easement they wanted to buy from us. It's not going to impact our getting to that sewer if anything ever happens to it. They purchased it for \$40,000, which is a nice thing for us.

Mayor White thanked the Bergen County Shared Services coordinator Tom Richards who talked about the drainage behind the factories on North Fifth Street. He arranged the Bergen County Mosquito Commission and the inmate program. He thanked Sheriff Saudino for providing inmate labor and said they did a great job over there cleaning out. I hope it does have an impact. We've got to get Rick over there to take a look because there's something else I believe we can do.

Mayor White mentioned the resolution on the agenda tonight and explained an agreement was worked out with Colonial Bonding, so hopefully we can move ahead with construction of the concession stand at Veterans' Field. We have been working on that. To Larry's point about the ten days, we got on them. They were doing nothing prior to that, so basically it was an ultimatum. We've got to get moving on this, and we did, and it worked. We pretty much said look, if you don't move, there's going to be a lawsuit. It worked. We got things in motion.

Mayor White said on May 3rd he and Council President D'Arminio attended the Central Bergen Community Development meeting and presented our application to them. He said we have another meeting, and hopefully we will be awarded what we requested or at least part of what we requested. On May 6th we had a free shredding event behind Coolidge School. It was very well attended. On Thursday May 11th we had a special meeting to amend our budget which we spoke about tonight, and on May 13th was the VFW Installation Dinner. He congratulated all the VFW members that were installed and said had Enlacosa there, and it's being broadcast now on Facebook, our website and our town TV channel. On May 15 at 12:00 PM the Police Department held a memorial service in front of Town Hall. On May 24th he and Councilman Accomando and Mr. Lo Dico attended a Board of Education Liaison meeting at the High School. He said it's really working out well because we're discussing a lot of issues that pertain to both town and the board, and it's working very well for us. We're getting some things resolved.

Mayor White said that on May 28th he and the Council took part in the Memorial Day services in the morning and the parade. He thanked the VFW parade committee and congratulated grand Marshall Bill Burns and the Police Department, Ambulance Corps, Fire Department, and DPW for all of their assistance, as well as the Mayor's Youth Group who marched with them and held their banner. He thanked them for working with the First Reformed Church to paint garden stakes with the names of all the fallen officers from Saddle Brook and put them along the parade route. They also cleaned up the house of an elderly disabled person who lives along the parade route. Enlacosa created two separate videos of the services and the parade. He thanked all the Veterans who served in combat and who are currently serving now and said what they have done for our country is an awesome thing. We are basically free, and we have all the rights we do because of them. If we didn't have them serving for us, I don't know where we'd be. We certainly wouldn't be the great country we are today.

Mayor White announced that Angelina Pollota would be sworn in as Chief for a Day tomorrow. He explained the Chief for a Day program and said it was a wonderful program. On June 4th is the AARP installation of officers and luncheon at the Senior Center. Joe Lecce will be the new president, following Council President D'Arminio who will be Vice President. Saturday June 10th is the Fishing Contest

sponsored by the Kiwanis Club at Saddle River Park by Otto Pehle Lake. All participants get trophies. It's free to all residents, and you must register by June 7th.

Mayor White said Monday July 3rd is the town fireworks display at Saddle River County Park starting at dusk. He thanked the VFW for hosting and again sponsoring the fireworks. He added tomorrow is Gun Violence Awareness Day. Gun violence kills 90 Americans a day and injures hundreds more. He said he's a firm believer in the 2nd Amendment right of law abiding citizens to bear arms, but he said there is room for reasonable gun legislation. New Jersey has one of the strictest gun laws in the country, and more states need to follow what we do here in New Jersey especially with assault rifles. There's no need for an assault rifle. I don't see any reason why anyone should have that – even a collector.

He congratulated the cheerleaders for their ceremony and their spectacular year and he wished everyone a Happy Father's Day.

Councilman Accomando said Mr. Ratajczak mentioned the overgrown properties. He said if you live next door or around them you can contact the Mosquito Commission of Bergen County, and they will come and spray your property.

Council President D'Arminio said in the original road improvement program for this year, she believed Claremont was one of them. She asked Councilwoman Mazzer if she remembered that.

Mr. Arango said we identified three. There was one more we were going to look at and I don't know. Council President D'Arminio said she thought it was Claremont. Mr. Lo Dico said PSE&G may be doing some work, so there might be room to add. She said it was a great parade, the VFW did a great job. Sixteen young people from town are currently serving in the military. She congratulated the cheerleaders and the graduates and wished everyone a Happy Father's Day.

Regarding the road program Mr. Lo Dico clarified that we talked about President Street, but PSE&G is paving President Street. We are going to make some improvements on President Street and pave the areas they're not paving – Midland Avenue to First Street and Eighth Street to Tenth Street. We will be working on the Liberty Street project, and we're tying in road improvements with drainage, water, sewer, utilities. That's being reviewed. We were fortunate to get a grant for Liberty Street from Community Development, and that will include paving of Liberty Street. We received a DOT grant for Caldwell Avenue, and I think the DOT looks at criteria such as near a school, county road. Caldwell Avenue was chosen a few years back because of Franklin School, and we were awarded the grant – that didn't pass. We've gotten grants for Fairlawn Parkway and four phases of Oxford Avenue again because of the school and county roads. Fifth Street is in connection with the improvement of water system there, and we have three grants from DOT that hopeful we will be using towards this and we are going to go out to bid. We always look at infrastructure before paving any of the roads. Even though President Street is not on the list, PSE&G due to the ordinance that the Mayor and Council passed two years ago. They pave curb to curb, but they only pave the area that they disturbed, and it didn't make sense to have them do from Second to Eighth and not finish it.

Mayor White said through the chair we have an ordinance that requires Public Service or any utility to pave curb to curb, but if it's an emergency job in front of one person's house, and it's in the middle of the street, does our ordinance say that they're required to pave the entire street?

Mr. Lo Dico said the engineer does a final review on that. Without reviewing the ordinance, I think it's for major projects because that's what we talked about. There are times we do it. We open up for a water break, or maybe check the sewer. PSE&G does an emergency gas leak, and they'll dig it. I believe Tom mentioned there's a procedure where it seams the road. I think we did it on Sylvan where there was an emergency repair that had to be made, and the contractor used that procedure because the road had just been repaired. There are different procedures.

Mr. Arango said the infrared procedure works well on recently paved roads where when you repave it, you use the infrared, and it blends the new pavement with the old pavement, and since they're relatively new you really don't see the seam. It's a way of trying to make it look nicer. I think I'm going to review your street opening ordinance.

Mr. Lo Dico said I think it depends on the situation – if it's an emergency small repair at the curb versus ripping up the street, and we've had that in the past where they've only paved halfway and then it breaks down within a few years.

ORDINANCES

- 1. ORDINANCE #1627-17 – FINAL READING
BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF ROAD RESURFACING, CURB REPLACEMENT AND REPAIR AND REPLACEMENT OF SANITARY SEWER LINES AT VARIOUS LOCATIONS IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$995,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

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

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

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF ROAD RESURFACING, CURB REPLACEMENT AND REPAIR AND REPLACEMENT OF SANITARY SEWER LINES AT VARIOUS LOCATIONS IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$995,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

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

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

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

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

CR# 617-142

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled: **BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF ROAD RESURFACING, CURB REPLACEMENT AND REPAIR AND REPLACEMENT OF SANITARY SEWER LINES AT VARIOUS LOCATIONS IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$995,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS** does now pass on second and final reading and that the Township Clerk be directed to advertise said ordinance or Title thereof, in the press, together with a notice of the date of passage of said ordinance according to law.

Motion: Councilman Cimiluca

Second: Councilman Accomando

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

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

Mr. Lo Dico noted that resolution #11 {CR# 617-153} was not part of the consent agenda.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll call:

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

*** MINUTES**

1. May 4, 2017 – Regular Public Meeting
2. May 11, 2017 – Special Public Meeting

*** RESOLUTIONS**

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-143

WHEREAS, there was an overpayment of taxes for the May 2017 tax quarter; and

WHEREAS, the Tax Collector has recommended this overpayment be cleared of record; and

WHEREAS, the Homeowner is entitled to a refund for the May 2017 tax quarter,

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

<u>BLOCK</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>YEAR</u>	<u>REFUND</u>
610	14.01	Susan Nassim 8 Catherine Avenue Saddle Brook, NJ 07663	2017	\$3,020.71

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

RESOLUTION OF THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS "WATER UTILITY NOTE RELATING TO THE CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST", TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$1,900,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE TOWNSHIP OF SADDLE BROOK IN FAVOR OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST CONSTRUCTION FINANCING PROGRAM.

CR# 617-144

WHEREAS, the Township of Saddle Brook (the "Local Unit"), in the County of Bergen, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install a project which consists of the Water Main Replacement Project (the "Project"), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the "Environmental Infrastructure Financing Program") of the New Jersey Environmental Infrastructure Trust (the "Trust");

WHEREAS, the Local Unit has determined to temporarily finance the acquisition, construction, renovation or installation of the Project prior to the closing with respect to the Environmental Infrastructure Financing Program, and to undertake such temporary financing with the proceeds of a short term loan to be made by the Trust (the "Construction Loan") to the Local Unit, pursuant to the Construction Financing Program of the Trust (the "Construction Financing Program");

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the Trust with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the Trust its "Water Utility Note Relating to the Construction Financing Program of the New Jersey Environmental Infrastructure Trust" in an aggregate principal amount of up to \$1,900,000 (the "Note");

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the Trust pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the Trust, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the Trust without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note (and any renewals thereof) in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by Bond Ordinance No. 1557-13 of the Local Unit, which bond ordinance is entitled "BOND ORDINANCE TO AUTHORIZE THE REPLACEMENT OF WATER MAINS AT VARIOUS LOCATIONS IN, BY AND FOR THE WATER UTILITY OF THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS", and was finally adopted by the Local Unit at a meeting duly called and held on October 10, 2013, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$1,900,000;
- (b) the maturity of the Note shall be as determined by the Trust, and the Note may be renewed from time to time as may be determined by the Trust;
- (c) the interest rate of the Note shall be as determined by the Trust;
- (d) the purchase price for the Note shall be par;

- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered "CFP-17-1WU";
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of Rogut McCarthy LLC is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the Trust and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Rogut McCarthy LLC, bond counsel to the Local Unit, David Zimmer, Executive Director of the Trust, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**A RESOLUTION AUTHORIZING EXECUTION OF AN
AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE
COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND AMENDMENTS
THERE TO ESTABLISHING THE BERGEN COUNTY COMMUNITY
DEVELOPMENT PROGRAM**

CR# 617-145

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

WHEREAS, an Agreement has been proposed under which the Township of Saddle Brook and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, it is in the best interest of the Township of Saddle Brook to enter into such an Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township of Saddle Brook that the Agreement entitled "Three Year Cooperative Agreement" (an Agreement superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program, the Home Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, and 2020 (July 1, 2018 – June 30, 2021) be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**A RESOLUTION AUTHORIZING INCLUSION IN THE
BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM**

CR# 617-146

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 12, 2017, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Township of Saddle Brook and its residents to participate in said Programs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Saddle Brook hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, 2020 (July 1, 2018 – June 30, 2021); and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 12, 2017.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-147

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. AMOUNT</u>	<u>NAME</u>
0257-33-012-006 \$1275.00	CP Saddle Brook T/A Saddle Brook Marriott GSP & I-80 Saddle Brook, NJ 07663
0257-33-011-005 \$1275.00	Matsuya, Inc. 490 Market Street Saddle Brook, NJ 07663
0257-33-007-007 \$1275.00	Attiki, Inc. T/A New Saddle Brook Diner 30 Market Street Saddle Brook, NJ 07663
0257-33-004-010 \$1275.00	Anupam, Inc. T/A Discount Liquors 606 Midland Avenue Saddle Brook, NJ 07663

PLENARY RETAIL DISTRIBUTION

0257-44-014-009 \$770.00	Shree Labh, Inc. DBA Wine County 195 Market Street Saddle Brook, NJ 07663
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LIMITED RETAIL DISTRIBUTION

0257-43-002-009 \$63.00	Chetan Patel PO Box 80 Paramus, NJ 07652 (Pocket)
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CLUB LICENSE

0257-31-018-002 \$100.00	Romaine Sinniger VFW Post 3484 44 Market Street Saddle Brook, NJ 07663
0257-31-019-001 \$100.00	Jamros Baker Schneider Post American Legion 302 Midland Avenue Saddle Brook, NJ 07663

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-148

WHEREAS, Midland Commons of Saddle Brook, LLC, PO Box 274 Norwood, NJ received approval from the Saddle Brook Zoning Board of Adjustment on or about June 16, 2015 for preliminary and final site plan approval for Block 402, Lots 1 and 2, (Van Bussum Avenue and Route 46)

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the Developer's Agreement between the Township of Saddle Brook and Midland Commons of Saddle Brook, LLC, PO Box 274 Norwood, NJ is approved subject to the Township Attorney and Township Engineer's review and acceptance; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign said agreement subject to the above review and acceptance.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-149

WHEREAS, 439-445 Dewey Avenue posted a bond for property located at 439-445 Dewey Avenue, Saddle Brook, NJ (Block 701, Lot 31); and

WHEREAS, Township Engineer Thomas Lemanowicz in a letter dated May 12, 2017 has approved release of the bond,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby approves the release of the cash bond posted by Russell Kelley Builders in the amount of \$12,343.11 and performance bond in the amount of \$110,160.00.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-150

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>
RECREATION	CAPELLI SPORTS	400 UNIFORM KITS-SOCCER	\$7,850.00
RECREATION	FOLD A GOAL	1 PAIR OF GOALS – SOCCER	\$1,575.00
*DPW	BEYER BROS.	REPAIRS – GARBAGE TRUCK	+SHIPPING \$8,954.47

* POLL TAKEN OF COUNCIL

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-151

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 **\$7,609.22** PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.

THESE ARE THE BILLS PAID THROUGH OFF LINE CHECKS

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-152

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 **\$3,507,476.96** PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

**THE FOLLOWING RESOLUTION CR# 617-153 IS NOT PART OF THE
CONSENT AGENDA.**

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-153

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

P.O. #	VENDOR	AMOUNT
83296, 83327, 83448, 83470	STONE BROOK GARDEN	\$2,575.00

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-154

WHEREAS, the Township requested and received quotes for IT services; and

WHEREAS, 3 quotes were obtained from IT contractors for this work, All-Covered, Ic2 Computers and Micromen Electronics,

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook that it hereby approves the proposal from Micromen Electronics, 132 California Avenue, new Milford, NJ for an annual amount of \$12,700 for 18 months commencing July 1, 2017 through December 31, 2018 providing funds are available.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

Overview

We recently received notification from the U.S. Department of Housing and Urban Development (HUD) that Bergen County has been scheduled to re-qualify as an Urban County entitlement group in order to receive continued funding under the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Emergency Solutions Grant (ESG) Programs for the three year period beginning July 1, 2018 through June 30, 2021.

For our purposes, this essentially means that the Three Year Cooperative Agreement that currently exists between all 70 Bergen County municipalities, the County of Bergen, and the U.S. Department of Housing and Urban Development (HUD) for the period July 1, 2015 through June 30, 2018 must be renewed.

During the past three years, Bergen County has received an annual average of \$8,535,000 in CDBG, \$1,919,000 in HOME, and \$718,000 in ESG funding that has positively impacted the County, our municipalities, and the nonprofit sector in myriad ways. In compliance with HUD guidelines, CDBG allocations – as annually determined by the six Regional and Countywide Community Development Committees – have typically included municipal road repaving; sewer and drainage upgrades; handicapped-accessible local government building upgrades and road curb cuts; and a wide range of assistance to local nonprofits. HOME program funding has focused on working with project/funding partners to provide special needs, senior, veteran's, and similar affordable housing. ESG funding has been used for multiple interventions to directly assist the homeless and those at risk of homelessness.

The Renewal Process, Timetable, and Attachments

The Three Year Cooperative Agreement renewal process includes two steps: (1) **Inclusion** to be determined and completed by each municipality as soon as possible but no later than **Monday, June 12, 2017**; and (2) **Execution** to be completed by each municipality no later than **Friday, June 30, 2017**.

Step One: Inclusion

As noted, all 70 Bergen County municipalities are currently participating in the Bergen County Community Development Program as governed by the Three Year Cooperative Agreement.

The Three Year Cooperative Agreement each municipality authorized for the period July 1, 2015 – June 30, 2018 contains an automatic renewal clause. To requalify under this clause, the first action required is for each municipality's Mayor and Council to adopt a resolution notifying the Bergen County Division of Community Development of the municipality's intention to continue as a participant in the Urban County entitlement program.

- A sample resolution entitled **SAMPLE RESOLUTION 1 | INCLUSION** is attached for your use.

This resolution requires timely action and must be received no later than Monday, June 12, 2017. There can be no waiver of this deadline.

The resolution can be mailed to and/or picked up by the Bergen County Division of Community Development. Bergen County Division of Community Development Director Robert Esposito will be phoning each municipality's Administrator/Clerk/Manager shortly after receipt of this memorandum to discuss the resolution and its method of delivery among other topics.

Federal regulations also require that the County notify each municipality of its option to elect to be excluded from the Urban County entitlement program.

A municipality's decision to reauthorize inclusion or elect exclusion from the program will be effective for the three years (2018, 2019, 2020) covering the program. Should a municipality choose to opt out, it will not be eligible for Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Emergency Solutions Grant (ESG) funding for the period July 1, 2018 – June 30, 2021. In addition, since the amount of the grant funds received by Bergen County is based on those municipalities participating in the program, any exclusion will effectively reduce the amount of total funds available.

A municipality's decision to reauthorize inclusion or elect exclusion from the program will be effective for the three years (2018, 2019, 2020) covering the program. Should a municipality choose to opt out, it will not be eligible for Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Emergency Solutions Grant (ESG) funding for the period July 1, 2018 – June 30, 2021. In addition, since the amount of the grant funds received by Bergen County is based on those municipalities participating in the program, any exclusion will effectively reduce the amount of total funds available.

Should your municipality elect to be excluded from the Urban County entitlement program, you must notify the Bergen County Division of Community Development and the HUD Regional Office in writing no later than **Monday, June 12, 2017**. **There can be no waiver of this deadline.**

Notification of exclusion in writing must be forwarded to:

Robert G. Esposito, Director
Bergen County Division of Community Development
One Bergen County Plaza, 4th Floor
Hackensack, New Jersey 07601

And

Annemarie C. Uebbing, Director
U.S. Department of Housing and Urban Development
Community Planning and Development Division
Newark Field Office, Region II
One Newark Center, 13th Floor
Newark, New Jersey 07102

Step Two: Execution

The second step for each municipality to complete after adopting a resolution to be included in the Urban County entitlement program (again, no later than Monday, June 12, 2017) is to pass a second resolution that essentially authorizes execution of the new Three Year Cooperative Agreement for the period beginning July 1, 2018 through June 30, 2021.

- A sample resolution entitled **SAMPLE RESOLUTION 2 | EXECUTION** is attached for your use.
- The new Three Year Cooperative Agreement entitled **Three Year Cooperative Agreement** (9 pages in total) covering the period beginning July 1, 2018 through June 30, 2021 is also attached. The new Three Year Cooperative Agreement is virtually the same as the current Agreement; there are only a few minor, non-substantive edits.

To execute the new Three Year Cooperative Agreement, please:

- Type or write the name of your municipality in the underscored line (_____) on page 1.
- Have the Mayor and Municipal Clerk sign the Agreement at the bottom of page 9 with the Clerk affixing the Municipal Seal as indicated.

This second resolution and execution of the new Three Year Cooperative Agreement also requires timely action and must be received no later than Friday, June 30, 2017. There can be no waiver of this deadline.

The second resolution and the new Three Year Cooperative Agreement can also be mailed to and/or picked up by the Bergen County Division of Community Development. Similar to Step One, Bergen County Division of Community Development Director Robert Esposito will be phoning each municipality's Administrator/Clerk/Manager to discuss the second resolution, execution of the new Three Year Cooperative Agreement, and the delivery method for these documents among other topics.

As noted in both the current and new Three Year Cooperative Agreement, municipalities authorizing inclusion in the Urban County entitlement program are not eligible to apply for grants under the Small Cities or State CDBG programs.

OLD BUSINESS/NEW BUSINESS

Councilman Cimiluca commended the Mayor for his Memorial Day speech at the Korean monument. He said it was an honor to be able to participate in the Memorial Day parade. He thanked the VFW for sponsoring it and thanked all of the Veterans.

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

Motion: Councilwoman Mazzer

Second: Councilman Cimiluca

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

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

Motion: Councilwoman Mazzer

Second: Councilman Cimiluca

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

Council President D'Arminio asked for a motion to go into closed session at 8:57 PM.

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 617-157

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

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

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the closed session to take place on June 1, 2017 at 7:00 PM or as soon thereafter as the matter can be reached at the Municipal Building be closed to the public and the press and that the results of the discussion at the closed session will be released to the public when the reasons for discussing and acting on it in closed session no longer exists.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

Council President D'Arminio asked for a motion to come out of closed session at 9:23 PM.

Motion: Councilman Accomando

Second: Councilman Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 617-156

WHEREAS, the Township of Saddle Brook has previously awarded a contract to Trino Associates, LLC for Veteran's Field Concession Stand; and

WHEREAS, Trino Associates, LLC has not been able to complete the said project, and Colonial Surety Company, under bond number CSC-223614, is now recommending that another contractor complete the project; and

WHEREAS, the said contractor, Vanas, shall complete the job, and a contract shall be entered into between said contractor and the Township of Saddle Brook;

WHEREAS, the award of said contract is in the best interests of the Township of Saddle Brook;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook as follows: that Vanas Contracting shall complete the job for the said concession project; and that the Mayor and Township Clerk/Administrator be and hereby is permitted to execute any documents in order to effectuate the said project in a form of contract approved by the Township Attorney.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll Call:

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

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

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

The meeting was adjourned at 9:23 PM.

Respectfully submitted,

Peter Lo Dico, RMC CMC
Township Clerk

Approved: July 13, 2017

Karen D'Arminio
Council President