

The minutes of the Special Meeting of the Township Council of the Township of Saddle Brook held on June 7, 2018 at 6:00 PM at the Municipal Building, 93 Market Street, Saddle Brook, NJ.

Council President Mazzer called the meeting to order.

The Township Clerk called the roll:

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

Mayor White – present

Council President Mazzer asked everyone to please rise for the salute to the flag.

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

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

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

Council President Mazzer asked for a motion to open the public hearing on the 2018 Municipal Budget.

Motion: Councilwoman D’Arminio

Second: Councilman Accomando

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

Mr. Wielkotz said tonight was the public hearing on the CY 2018 municipal budget introduced on April 5th. As discussed when we introduced the budget, the impact to the taxpayer, the average homeowner, which is \$336,770 average residential assessment is 1.26 tax points or \$34.63. Last year the average residential unit paid \$2,750.00 in municipal taxes, and this year that will be \$2,785.00.

Mr. Wielkotz said we have been very successful in terms of managing the budget in the last couple of years. We built some surplus. We are using some surplus in this budget to offset some of the increase in expenses. Our pension bill went up almost \$139,000 for the state. As you know, we, unlike the state – the state has not been making their required pension payment every year. We get a bill from the state that says we owe X number of dollars, and on April 1st if that number is not sent to the state, we then get a bill for penalties and interest. That bill went up \$139,000. We have contractual salary increases in the budget, a little bit more money for tax appeals, a little bit more money statutorily for the library. The good news is that the impact to the average homeowner, while nobody likes to see a tax increase, it’s \$34.63 for the year. The budget is fully funded, the services you have always provided are in the budget, and we have now started over the last couple of years to build a healthy surplus. We have turned around significantly the financial position of the township.

Mr. Wielkotz repeated that the average impact was \$34.63, but there would be some higher and some lower and there would be the other components such as the school tax levy and the county budget which was adopted with no increase in tax levy.

Councilman Gierek asked what financial shape we were in moving forward. Mr. Wielkotz said I think you are in the best shape you've been. He said we have dealt with a significant number of the state tax appeals that have been kicked down the road for years and years and years. He mentioned the 5-year rolling re-assessment and said it has worked out perfectly because of the demographics of the ratables of Saddle Brook. He said he believed the program has benefited the homeowners and has also stemmed the tide of tax appeals from the commercial properties. At the end of the day, it was the right thing for Saddle Brook. He said I think the future is bright; I think we will continue to build surplus. Some might say we're holding taxpayer's money, but we need to have money in the bank. We don't need to be struggling to pay our bills, and in this year's budget we're giving back \$800,000 of that surplus as revenue in this budget. Three years ago, we had no surplus to offset any kind of appropriation increases.

Council President Mazzer commended all the department heads and the professionals as well as the Mayor and the Council.

Councilwoman D'Arminio seconded that and said everyone did a good job.

Mr. Wielkotz left at this time.

Mr. Philip Amato provided an overview of the Municipal Humane Law Enforcement Officer (MHLEO) that goes into effect August 1st. He explained the difference between Animal Control and Humane Law Enforcement Officers. Animal control officers are responsible for physically handling animals, Humane Law Enforcement is handling just the cruelty aspect. Humane law enforcement does not get involved with stray dogs, removing animals – simply the DYFS police of law enforcement for animals. The mandate either designating a Municipal Humane Law Enforcement Officer (MHLEO) or appointing from within with shared services from other towns is pretty much how the law reads. It doesn't have to be a full time police officer.

Mr. Amato noted there is no training whatsoever for law enforcement officers on this law. Unbelievably so, that's just the way it is. The Attorney General's office was revamping the curriculum. He said he was putting himself out there as a resource for the town.

Mayor White said he was not that well-versed on the law. He asked if a local police officer has to be assigned as the Humane Officer. Mr. Amato said on the contrary it could be either a police officer or a Humane Law Enforcement Officer from the SPCA, or it can be an animal control officer that you have worked with. The problem is the law says you have one year to train that officer – essentially, they are out there doing investigations they haven't been trained on, so the law has some impediments right now that they're trying to work out. As it stands right now, it can be either or, but there is no training available, other than the officers that are already certified, for example, someone like myself. The Attorney General's office is still working on the curriculum. There's a lot of moving parts to this, and it would be a lot to take on for a detective or a street patrol officer since they don't have the training.

Mayor White asked if this was a full-time position for Mr. Amato, and he said it was not. Mr. Amato said he has done this for ten years, completely voluntary at no cost to the taxpayer. He said the state and county SPCAs are not-for-profit. The donation system has been abolished and replaced with a funded mandate, but he said in 2017 the Bergen County SPCA collected only \$8500 in fines for the whole county. He said Governor Christie signed this legislation four hours before he left office. Mayor White said the way I see it this is going to cost us money.

Mr. Lo Dico said Bergen County Animal Control sent an addendum to their contract where they will provide the officer at least between now and the end of the year.

Councilman Accomando asked if we could utilize the same officer as say Garfield or Lodi? Mr. Amato said yes, that was how the law reads. If you have someone that's interested, you can deputize that officer. It does not have to be a full-time position. It's seasonal. Spring time is kitten season, and you have more cases with kittens in springtime, and then inclement weather you see a spike as well. Hypothetically, towns often get together and deputize one Humane Law Enforcement Officer, either a police officer or someone who has had the training.

Council President Mazzer asked if Mr. Amato had any brochure or paperwork. He said he did not have anything with him, but he would be happy to get her some information.

Mr. Amato noted you have one year to get the training, the training that right now does not exist, so how can an animal control officer or how could a police officer carry out his or her duty when there's no training? Just keep that in mind. Humane Law Enforcement Officers have powers of arrest. They went through the firearms portion, and they went through the use of force portion through the state police and the division of criminal justice. Animal Control officers have not.

Hearing no one else, Council President Mazzer asked for a motion to close the public hearing on the 2018 Municipal Budget.

Motion: Councilwoman D'Arminio

Second: Councilman Gierek

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

RESOLUTION

**TOWNSHIP OF SADDLE BROOK
 RESOLUTION**

CR# 618-113

BE IT RESOLVED, by the Mayor and Council of the Township of Saddle Brook, County of Bergen that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorizations of the amount of:

(a)	\$17,852,460.63	(Item 2 below) for municipal purposes, and
(b)	-	(Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
(c)	-	(Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations
(d)	\$797,548.00	(Item 5 below) Minimum Library Tax

SUMMARY OF REVENUES

1. General Revenues		
Surplus Anticipated	08-100	800,000.00
Miscellaneous Revenues Anticipated	40004-10	3,286,190.81
Receipts From Delinquent Taxes	15-499	425,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR	07-190	17,852,460.63

MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE 1 SCHOOL DISTRICTS ONLY: Item 6, Sheet 42	07-195	-
Item 6 (b), sheet 13 (N.J.S. 40A:4-14)	07-191	-
Item 6 (c), sheet 11 Minimum Library Tax		797,548.00
Total amount to be raised by Taxation for Schools in Type I School Districts Only		-
4. To be added TO THE CERTIFICATION AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:		
Item 6(b), Sheet 13 (N.J.S. 40A:4-14)	07-191	-
Total revenues	40000-10	23,161,199.44

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS	
Within "CAPS"	14,777,924.00
(a&b) Operations including Contingent	
(e) Deferred Charges and Statutory Expenditures – Municipal	1,908,249.63
(g) Cash Deficit	
Excluded from "CAPS"	
(a) Operations – Total Operations Excluded from "CAPS"	2,151,848.81
(c) Capital Improvements	100,000.00
(d) Municipal Debt Service	3,223,177.00
(e) Deferred Charges – Municipal	
(f) Judgments	-
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	-
(g) Cash deficit	-
(k) For Local School Purposes	-
(m) Reserve for Uncollected Taxes (Include Other Reserves if any)	1,000,000.00
6. SCHOOL APPROPRIATIONS – TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	
Total Appropriations	23,161,199.44

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 7th day of June, 2018. It is further certified that each item of revenue and appropriation set forth in the same amount and by the same title as appeared in the 2017 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll Call:

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

Mayor White said it seems to me with this law, it is an unfunded mandate because we're going to have to pay this \$1800 a year, and really – I can't remember one case when I was in the police department dealing with animal cruelty, and from what he's saying, if there was in other towns, they're strictly volunteer. They come out, and they don't charge anything. That's what they used to do. It seems to be that this law is ... to try to lessen their responsibility.

Mr. Lo Dico said the law changed. Now each municipality must comply with the state law. We have it on the agenda later on for shared services, at least for now until December.

Mayor White said it's an additional \$1800 that we have to spend on something that we didn't anticipate and something that really we don't need because I can't remember there being one time when we had a call. Obviously Animal Control – but not for a cruelty case.

Mr. Lo Dico said every municipality is required. Mayor White asked could we hire him for example at a lower rate? Mr. Lo Dico said it's possible I guess, but somebody has got to be available 24/7 – with the Animal Control with the county, we get the use of their veterinarian, we could have to hire a veterinarian in case an animal should have to go to a veterinarian. We wouldn't be able to shelter with the county. We would have to find an animal shelter to shelter the animal that might be removed from a home. So right now, it covers between now and December.

Mayor White said it seems like there's not going to be good coordination. Mr. Lo Dico said we might be able to do this with other towns between now and then. The county has to provide it, we don't have to, along with shared services.

Councilman Accomando mentioned Garfield. Mayor White said they are volunteers, and Mr. Lo Dico said the law says it's got to be law enforcement. He said he was not sure what the definition of that is. They were talking about someone from the police department being trained, which means you have to sign up and pay for training. If they are called out, they are compensated. As the Mayor said, it's rare. Over the years, we've had one or two instances where we needed a person. But the law requires it now, whereas in the past we didn't have to.

Councilman Gierak said there's no training. Councilman Accomando said it's voluntary.

Mayor White said it seems the governor's office wanted to strip them of their powers.

Mr. Lo Dico said through the shared services agreement they would provide the required training of the officer, they would provide legal transportation, licensed sheltering, medical care for the impounded animal, and they report all cruelty complaints to the municipal chief of police and to the Bergen County Prosecutor's Office as required by law. Again, it's for six months. Then we could work something out with other municipalities.

Mayor White said and split the cost.

Mr. Lo Dico said this would be on for the next meeting at 7:00 PM.

Council President Mazzer asked for a motion to adjourn.

Motion: Councilwoman D'Arminio

Second: Councilman Gierak

Councilman Cimiluca - absent

Councilwoman D'Arminio - yes

Councilman Gierak - yes

Councilman Accomando - yes

Council President Mazzer - yes

Meeting adjourned at 6:26 PM.

Respectfully submitted,

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

Approved: July 5, 2018

Florence Mazzer
Council President