

The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on June 4, 2020 at 6:00 PM at the Municipal Building, 93 Market Street, Saddle Brook, NJ.

Council President Cimiluca called the meeting to order.

The Township Clerk called the roll:

Councilwoman D'Arminio – present
Councilman Gierrek – present via telephone
Councilman Accomando – present via telephone
Councilwoman Mazzer – present via telephone
Council President Cimiluca – present

Mayor White – present via telephone
Mr. Suarez, Twp. Attorney – present via telephone
Mr. Klein, Twp. Engineer – present via telephone
Mr. Wielkotz, Twp. Auditor – present via telephone

Council President Cimiluca asked everyone to please rise for the salute to the flag and to observe a moment of silence in memory of Saddle Brook Police Officer Norma Aedo, 50-year member of the Saddle Brook Fire Department Charles Wahler and former Saddle Brook Mayor, NJ State Senator and Bergen County Freeholder Jeremiah F. O'Connor.

Council President Cimiluca 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 and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey.

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 Cimiluca asked for a motion to open the meeting to the public for the 2020 Budget hearing and remain open to the public for other items.

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

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

Council President Cimiluca asked Mr. Wielkotz to go over the budget.

Mr. Wielkotz said the budget was approved by the state on Tuesday to be adopted tonight. He noted the municipal tax increase on the average residential assessment, which is a little over \$353,000, is \$96.99 for the year, a little less than \$9 a month. We had some salary increases because of our contracts, group medical, which seems to go up every year, almost \$100,000 increase in pensions. To offset some of this, we utilized some additional surplus, but we are in a healthy position. We ended last year with probably the largest surplus in the history of the township, almost \$4.7 million surplus, and we're using \$1.55 million in this year's budget. What's going to happen between now and the rest of the year is anybody's guess, but certainly the town is in a much better position than a lot of surrounding towns because we do have a healthy surplus, and we do have cash for cash flow.

Council President Cimiluca asked Mr. Wielkotz how many towns he was municipal auditor for. Mr. Wielkotz said probably around 20 or more and two counties, and my firm does over 50 municipalities, and I've been doing this for 40 years, so I have a pretty good perspective on things like this.

Motion: Councilwoman D'Arminio Second: Councilwoman Mazzer

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

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:

SUMMARY OF REVENUES

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS	
Within “CAPS”	
(a&b) Operations including Contingent	16,552,985.00
(e) Deferred Charges and Statutory Expenditures – Municipal	2,115,661.29
(g) Cash Deficit	
Excluded from “CAPS”	
(a) Operations – Total Operations Excluded from “CAPS”	2,130,233.63
(c) Capital Improvements	100,000.00
(d) Municipal Debt Service	3,369,270.00
(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	25,268,149.92

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 4th day of June, 2020. 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 2018 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 Gierek

Roll Call:

Councilwoman D’Arminio - yes
Councilman Gierek - yes
Councilman Accomando - yes
Councilwoman Mazzer - yes
Councilman President Cimiluca – yes

Council President Cimiluca thanked the Mayor, Mr. Lo Dico, CFO Mr. Conte and Mr. Wielkotz for all they did to get this done in a timely and fiscally responsible manner.

Mr. Wielkotz left at this time.

COMMENTS

Councilwoman D’Arminio extended her sympathies to the families of those who passed away. She commended the Mayor for the police memorial and the Veterans’ Day videos.

She said she was appointed as a member of the committee to choose the architect who is going to oversee the new municipal project at the Home Depot site. We did decide on one, and the council voted on it. We are looking forward to getting this project started.

She concluded by wishing everyone a Happy Father’s Day.

Councilman Gierek thanked our first responders and volunteers for their continued support and hard work. He offered his condolences to the Aedo family and Saddle Brook Police Department and the family of Fireman Charlie Wahler and the fire department.

Councilman Gieriek then thanked Mr. Conte, Mayor White and Mr. Lo Dico for their outstanding job with the budget. He concluded by wishing all the dads a Happy Father's Day.

Councilman Accomando extended his sympathies to the police and fire departments on their losses. He wished all the graduates all the best in their endeavors.

He then noted there was word that there is going to be a protest this weekend. He said I'm sure it's going to be peaceful. I want people to think with an open mind, and it will be peaceful. Happy Father's Day. I would like to let people know to still maintain social distance, wash your hands and cover your face. Think of the people you live with. Be careful.

Councilwoman Mazzer extended her sympathies to Norma Aedo's family and friends. She commended Mr. Lo Dico, the mayor, the department heads, and the auditor for doing an awesome job with the budget. She concluded by congratulating the graduates and wishing everyone a Happy Father's Day.

Council President Cimiluca said the VFW ceremony was held on Monday, Memorial Day. It was a very strange year. It was a sad time. It has to get better. It will be better.

Mayor White thanked the Council for adopting the budget and thanked Mr. Lo Dico, Mr. Conte and Mr. Wielkotz.

The Mayor said due to the COVID-19 crisis the state has extended the budget to September 30th. No town knows what state aid they are going to receive, so the state has recommended the town do an estimated tax bill for the first quarter. The final three quarters will be an actual tax bill. We don't like doing these estimated tax bills because they tend to cause confusion, but the state left us with no other choice but to do so. The municipal tax increase is going to be \$97 on an average house assessed at \$353,112.

He said I'm very happy that we closed on the property at 55 Mayhill Street, the new home of our municipal complex on Friday, May 22nd. I know we're all very excited to get started on the construction. It's going to be a great project for us.

Mayor White said the 2020 Road Program bids were awarded recently. Those roads include Jamros Terrace, Colonial Avenue, Woodcrest Place, Danna Way and Taggart Way. We are also paving North and South Leswing; concrete work is being started now. Milling and paving should start June 22nd. Fairlawn Parkway should be milled and paved in the next two weeks. A lot of work has been done there, curbs replaced, drainage improvement at the north end. We are working with the town engineer to develop a striping plan, and they are also replacing a portion of the water main between Wilson and Schepis. Albany Street is going to be paved using funds from a Community Development Block Grant. It was recommended that Saddle Brook receive \$101,000 for paving and drainage improvement on Albany and also \$75,000 for ADA barrier free enhancements to our municipal building project.

The Mayor spoke about work being done west of Fairlawn Parkway, including Nedellec, Oxford, Cambridge, Colonial and Jamros. He said I think they paved two of them already. I spoke to Dave Hollenbeck from Public Service, and I emphasized that we want to get that done sooner rather than later. Last year they ran out of time. Those streets are in pretty bad shape. He will help us and request that our job be made a priority. Regarding the Bergen County Open Space grant application for Mayhill Street, he said we received a lot of complaints from residents in that area that it really needs updating. Regardless of whether we obtain the grant, we really need to upgrade.

Mayor White said we have the vape ordinance on tonight. We all agree that we need to limit the number of vape shops and where they located in town and it's also important that they be monitored to be sure they are not luring or selling to minors.

Mayor White spoke briefly about Police Officer Norma Aedo's life and career and said she was a very compassionate and dedicated public servant who is going to be sorely missed. He thanked everyone who prayed for her while she was hospitalized and said her funeral was June 2. He thanked all the police departments who sent representatives.

The Mayor said the VFW did have their annual Memorial Day ceremony on Monday the 25th. They also sold poppies at the VFW post. They have a fund raiser selling patriotic lawn signs for a minimum donation of \$10. Please consider donating.

He said the Bergen County mobile testing site will be coming to Saddle Brook June 12th for free COVID tests and antibody tests to all Bergen County residents and those who work in the County. From 9:00 to 2:30 at 55 Mayhill street, the future home of our new municipal complex. From 9:00 to 10:00 first responders get preference. There will be a flier if you are interested.

The Mayor said regarding COVID 19 – we are in stage 2 of recovery. Governor Murphy said childcare services can resume June 15th, outside non-contact organized sports on June 22nd and day camps can start July 6th all with many restrictions. He is hoping to allow large indoor gatherings by June 12. Outdoor dining and non-essential retail stores will be allowed to open on June 15th. Restaurants can add outdoor seating, and personal care salons will be permitted to be open on June 22nd. He has not yet provided a specific date for gyms, libraries or museums and some government offices will follow. We are on the path. Things are looking good.

Mayor White thanked all first responders and thanked the committee that recommended RSC Architects. He said I think we're going to be very happy. He thanked Councilwoman D'Arminio and Council President Cimiluca and Mr. Lo Dico and congratulated all the graduates.

The Mayor concluded by reminding everyone Flag Day is June 14th and said please fly your flag on that day. Happy Father's Day on Sunday, June 21st.

ORDINANCES

1. ORDINANCE #1680-20 – FINAL READING AN ORDINANCE TO BAN VAPE SHOPS AS A PRINCIPAL PERMITTED USE IN ANY ZONE DISTRICT EXCEPT ON ROUTE 46 WEST BETWEEN OUTWATER LANE AND 5TH STREET IN THE TOWNSHIP OF SADDLE BROOK

The Council President announced that a motion is in order that this ordinance be untabled from the May 7th meeting.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Councilwoman D'Arminio - yes
Councilman Gierrek - yes
Councilman Accomando - yes
Councilwoman Mazzer - yes
Councilman President Cimiluca - yes

The Council President asked for a motion to amend the ordinance to change the distance between permitted shops from 1500 feet to 1000 feet.

Motion: Councilman Accomando

Second: Councilwoman D'Arminio

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

Mr. Lo Dico asked Mr. Suarez if this was considered a minor amendment so we can adopt as amended, and Mr. Suarez said yes.

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE TO BAN VAPE SHOPS AS A PRINCIPAL PERMITTED USE IN ANY ZONE DISTRICT EXCEPT ON ROUTE 46 WEST BETWEEN OUTWATER LANE AND 5TH STREET IN THE TOWNSHIP OF SADDLE BROOK**

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

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Councilwoman D'Arminio - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

2. ORDINANCE #1682-20 – FINAL READING

“AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK”

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

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

Councilwoman D'Arminio - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

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

AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK”

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

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Councilwoman D'Arminio - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

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

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

Councilwoman D'Arminio - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca – yes

CR# 620-98

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled: **“AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK”**

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

Motion: Councilwoman D’Arminio

Second: Councilman Gierrek

Councilwoman D’Arminio - yes

Councilman Gierrek - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

**3. ORDINANCE #1683-20 – FINAL READING
CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

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

Motion: Councilwoman D’Arminio

Second: Councilman Accomando

Councilwoman D’Arminio - yes

Councilman Gierrek - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

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

**CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

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

Motion: Councilwoman D’Arminio

Second: Councilman Accomando

Councilwoman D’Arminio - yes

Councilman Gierrek - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

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

Motion: Councilwoman D’Arminio

Second: Councilman Accomando

Councilwoman D’Arminio - yes

Councilman Gierrek - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

CR# 620-99

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled: **CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

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

Motion: Councilwoman D'Arminio

Second: Councilman Gierek

Councilwoman D'Arminio - yes

Councilman Gierek - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca – yes

4. ORDINANCE #1684-20 – FIRST READING

AN ORDINANCE AMENDING SECTION 206 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK PERMITTING VAPE SHOPS AS A CONDITIONAL USE IN THE AB ADULT BUSINESS OVERLAY DISTRICT, IN THE TOWNSHIP OF SADDLE BROOK

The Council President announced that the next order of business is the introduction of **AN ORDINANCE AMENDING SECTION 206 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK PERMITTING VAPE SHOPS AS A CONDITIONAL USE IN THE AB ADULT BUSINESS OVERLAY DISTRICT, IN THE TOWNSHIP OF SADDLE BROOK**

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

Motion: Councilwoman D'Arminio

Second: Councilman Gierek

Councilwoman D'Arminio – yes

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Mazzer – yes

Council President Cimiluca – yes

CR# 620-100

Be it resolved by the Township Council of the Township of Saddle Brook that **AN ORDINANCE AMENDING SECTION 206 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK PERMITTING VAPE SHOPS AS A CONDITIONAL USE IN THE AB ADULT BUSINESS OVERLAY DISTRICT, IN THE TOWNSHIP OF SADDLE BROOK**

that heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 2nd day of July, 2020 at 7:00 PM, or as soon thereafter as the matter can be reached at the Municipal Building, 93 Market Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a time and place when and where said ordinance will be further considered for final passage.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Councilwoman D'Arminio – yes

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Mazzer – yes

Council President Cimiluca – 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 minutes and applications.

Mr. Lo Dico noted that resolutions #8 {CR# 620-108} and #9 {CR# 620-109} would not be part of the consent agenda and said we have a response on the question for the cameras at the police station from the chief, and also the DPW sewer department asked to replace a pump at the Fifth Street pump station for \$8,500 and the pump that is being replaced is fifteen years old so those two items will be part of the over \$2500.

Motion: Councilwoman D'Arminio

Second: Councilman Gierek

Councilwoman D'Arminio – yes

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Mazzer – yes

Council President Cimiluca – yes

*** MINUTES**

1. May 7, 2020 – Regular Public Meeting

*** RESOLUTIONS**

TOWNSHIP OF SADDLE BROOK RESOLUTION

AUTHORIZING SUBMISSION OF A 2020 BERGEN COUNTY OPEN SPACE TRUST FUND MUNICIPAL PARK IMPROVEMENT GRANT APPLICATION

CR# 620-101

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Township of Saddle Brook desires to further the public interest by obtaining a matching grant of \$30,000 from the County Trust Fund to fund the following project: Mayhill Street Park; and,

WHEREAS, the Mayor and Council of the Township of Saddle Brook has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Mayor and Council of the Township of Saddle Brook held the required Public Hearing to receive public comments on the proposed park improvements in the application on July 2, 2020; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of June 29, 2020 as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Mayor and Council is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Mayor and Council agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

Roll Call:

Councilwoman D'Arminio - yes

Councilman Gierrek - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 620-102

WHEREAS, AJM Contractors was awarded a contract in the amount of \$180,250.22 for FY 2018 Road Program – Erie Street; and

WHEREAS, Richard G. Arango, Twp. Engineer, during the course of the work being performed by AJM Contractors recommended Change Order #1 Final; -\$65,397.66 for as-built quantities; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby approves Change Order #1 for AJM Contractors for a total amount of -\$65,397.66, a total contract amount of \$114,852.56 providing funds are available.

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

Roll Call:

Councilwoman D'Arminio - yes

Councilman Gierrek - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 620-103

WHEREAS, 4 Clean Up, Inc. was awarded a contract in the amount of \$196,555.25 for 2019 CDBG Rochelle Parkway Road Improvements; and

WHEREAS, Richard G. Arango, Twp. Engineer, during the course of the work being performed by 4 Clean Up, Inc. recommended Change Order #2; \$8,568.00 for additional quantities; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby approves Change Order #2 for 4 Clean Up, Inc. for a total amount of -\$8,568.00, a total contract amount of \$219,772.45 providing funds are available.

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

Roll Call:

Councilwoman D'Arminio - yes
Councilman Gierrek - yes
Councilman Accomando - yes
Councilwoman Mazzer - yes
Councilman President Cimiluca - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 620-104

WHEREAS, Marini Bros. Construction was awarded a contract in the amount of \$508,453.05 for Fair Lawn Parkway (Section 2) & FY' 2019 NJDOT Various Streets Improvements; and

WHEREAS, Richard G. Arango, Twp. Engineer, during the course of the work being performed by Marini Bros Construction recommended Change Order #2; \$28,576.00 for extra quantities; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby approves Change Order #2 for Marini Bros Construction for a total amount of \$28,576.00, a total contract amount of \$544,829.05 providing funds are available.

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

Roll Call:

Councilwoman D'Arminio - yes
Councilman Gierrek - yes
Councilman Accomando - yes
Councilwoman Mazzer - yes
Councilman President Cimiluca - yes

AFFIDAVIT

In accordance with N.J.S.A. 52: 27BB – 10 and 40A: 4-57. I do hereby certify that funds are available and that the attached resolution can be adopted.

PURPOSE: Fairlawn Parkway & 2019 Various Street Improvements

ACCOUNT 04-2150-55-1668-902

FUND General Capital

AMOUNT \$28,576

PURCHASE ORDER NO. 93104

Timothy Conte
Timothy Conte
Chief Financial Officer

DATE

CHECKED BY

TOWNSHIP OF SADDLE BROOK
RESOLUTION

CR# 620-105

WHEREAS, the Township of Saddle Brook advertised for bids for Kuhn Court Water Main Replacement; and

WHEREAS, 8 bids were received and opened on May 28, 2020; and

WHEREAS, the Township Engineer in correspondence dated May 29, 2020 recommended awarding the contract to the lowest bidder and Township Attorney has reviewed the bids received and concurs; and

WHEREAS, the low bidder is John Garcia Construction, 183 Friar Lane, Clifton, NJ 07013, with a base bid of \$210,024.68 and an alternate #1 of \$21,400.91; and

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

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby awards the bid for Kuhn Court Water Main Replacement to

Roll Call:

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

Councilwoman Mazzer recused herself at this time.

THE FOLLOWING RESOLUTION CR# 620-108 IS NOT PART OF THE CONSENT AGENDA

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 620-108

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
92934, 92949	STONE BROOK GARDEN	\$2,087.00

Mr. Lo Dico noted this was for landscaping materials for Memorial Day.

Motion: Councilwoman D'Arminio Second: Councilman Accomando

Roll Call:

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

Councilwoman Mazzer returned to the meeting at this time.

THE FOLLOWING RESOLUTION CR# 620-109 IS NOT PART OF THE CONSENT AGENDA

Council President Cimiluca read the following resolution and said this was another step in getting the long-awaited municipal complex and recreation center and that he was glad to be a part this administration and of getting this done.

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 620-109

WHEREAS, a request for proposals was advertised for an architect for the new municipal complex located at 55 Mayhill Street; and

WHEREAS, 5 proposals were received by March 17, 2020; and

WHEREAS, a committee reviewed all proposals submitted; and

WHEREAS, a recommendation was made to the Mayor and Council,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby requests the Township Attorney to draw up a contract with RSC Architects, 3 University Drive, Hackensack, NJ 07601 and is authorized to speak to them concerning terms of said contract; and

BE IT FURTHER RESOLVED upon completion of the contract, a copy will be disseminated to all council members and Mayor for review after which the Mayor and Clerk are hereby authorized to sign said contract if satisfactory.

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

Roll Call:

Councilwoman D'Arminio - yes

Councilman Gierrek - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca - yes

Council President Cimiluca said it was a difficult process to go through the proposals because all of them have done such tremendous work. He said I am very excited about the project and that we have chosen the right architect to oversee the construction and the architectural design that's being presented to us by the builder. If anyone has any questions about RSC, they have worked in Saddle Brook; they did our senior housing right across the street on Caldwell. We are glad to have them aboard and look forward to working with them in the future.

*** CORRESPONDENCE**

1. **Robert Klein, PE
Remington Vernick
Engineers**

**Re: Erie Street Roadway
Improvements
Change Order No. 1 – Final**

To: Peter Lo Dico, Twp. Clerk Date: April 29, 2020

Please be advised that this office is recommending approval of attached Change Order No. 1 Final which adjusts the contract quantities to as-built quantities.

The contract breakdown is as follows:

- | | |
|--------------------------|----------------|
| • Original Contract | \$ 180,250.22 |
| • Change Order No. 1 | - \$ 65,394.66 |
| • Amended Contract Total | \$ 114,852.86 |

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

2. **Robert Klein, PE** **Re: 2019 CDBG Rochelle Parkway**
 Remington Vernick **Road Improvements Change**
 Engineers **Order No. 2**

To: Peter Lo Dico, Twp. Clerk Date: May 8, 2020

Please be advised that this office is recommending approval of attached Change Order No. 2 which adds extra items to the contract:

The contract breakdown is as follows:

- Original Contract \$ 196,555.25
- Change Order No. 1 \$ 14,649.20
- Change Order No. 2 \$ 8,568.00
- **Amended Contract Total** **\$ 219,772.45**

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

3. **Robert Klein, PE** **Re: 2019 Road Program, Pay**
 Remington Vernick **Certificate No. 2**
 Engineers

To: Peter Lo Dico, Twp. Clerk Date: May 8, 2020

Enclosed please find Payment Request No. 2 from 4 Clean Up Inc. for work performed on the above referenced project. Remington & Vernick Engineers has reviewed the certificate with the contractor and agree with the partial payment noted.

Therefore, we recommend the following that payment be made to **4 Clean Up Inc.** in the amount of **\$263,380.70** for Certificate No. 2.

With the Change Order Nos. 1-2, the total contract price is \$510,632.07. Therefore, 14% of the total contract price remains.

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

4. **Robert Klein, PE** **Re: Fairlawn Parkway (Section 2) &**
 Remington Vernick **FY'2019 NJDOT Various Streets**
 Engineers **Improvements Change Order No. 2**

To: Peter Lo Dico, Twp. Clerk Date: May 18, 2020

Please be advised that this office is recommending approval of attached Change Order No. 2 which adjusts the contract quantities to add extras item. This change order is for additional concrete curb, sidewalk, aprons and grass restoration throughout the limits of work to replace additional slabs in poor condition creating tripping hazards. In addition, two additional inlets were replaced.

The contract breakdown is as follows:

- Original Contract \$ 508,453.05
- Change Order No. 1 \$ 7,800.00
- Change Order No. 2 \$ 28,576.00
- **Amended Contract Total** **\$ 544,829.05**

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

5. **Robert Klein, PE** **Re: Fairlawn Parkway (Section 2) &**

**FY'2019 NJDOT Various Streets
Improvements Pay Certificate No.
1**

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

To: Peter Lo Dico, Twp. Clerk Date: May 29, 2020

REMINGTON & VERNICK ENGINEERS (RVE) is pleased to provide this Engineering Services proposal for the FY 2020 NJDOT Municipal Aid Program. The following are the streets included within the program and their approximate lengths:

- Mayhill Street from Leswing Avenue to the Route 80 Bridge (Approx. 1,500 Feet)

The improvements consist of the milling and resurfacing of the roadways, inspection and rehabilitation of storm sewer pipes and inlets, confirmation of compliance with ADA for curb ramps and rebuild if necessary, and installation of proper striping and signage. The Township received funding from the NJDOT Municipal Aid Program for FY' 2020 for Mayhill Street.

Our Scope of Services are as follows:

1. Utilize conventional ground survey to obtain existing conditions of the roadway and prepare existing condition base plans.
2. Provide design for mill and overlay of the roadway with improvements to the ADA curb ramps, NJDEP stormwater modifications, guide rail upgrades, and striping replacement and signage upgrades where required. We understand that Saddle Brook desires to only install curbing where it is missing or otherwise not serviceable.
3. Prepare the construction plans, specifications, and an engineer's construction estimate per NJDOT requirements for obtaining construction bids for the project.
4. Review the preliminary design with Saddle Brook. Modify the plans / specifications from the result of the meeting.

Our recommendation(s) to award are as follows:

- Should the Township decide to award the Base Bid, the resolution should indicate award to John Garcia Construction, 183 Friar Lane, Clifton, NJ 07013 in the amount of \$210,014.68 representing Items 1 through 24 on the Base Bid.
- Should the Township decide to award the Base Bid plus Alternate Bid No. 2, the resolution should indicate award to John Garcia Construction, 183 Friar Lane, Clifton, NJ 07013 in the amount of \$231,415.59 representing Items 1 through 24 on the Base Bid and Items A1.1 through A1.7 on the Alternate Bid.

Therefore, in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq, the contract should be awarded to the lowest responsible bidder, which appears to be John Garcia Construction in all scenarios.

The award should be contingent upon approval of your Counsel and the availability of funds.

If you have any questions, please feel free to call me at (201) 624-2137.

*** RAFFLES & APPLICATIONS**

Raffles

1. RA# 1316 – St. Philip the Apostle Church – 50/50

Public Place

2. Bubbakoos Burritos – 110 Market Street, Suite 100 - NEW

*** REPORTS**

1. Municipal Court Monthly Report – April 2020
2. Sanitarian Report – March 2020
3. Sanitarian Report – April 2020
4. Grant Writer Report – April 2020
5. DPW Monthly Report – April 2020
6. Hotel Room Tax Revenue Report – April 2020
7. Hotel Room Tax Revenue Report – May 2020
8. Water Billing Monthly Report – April 2020
9. Tax Collector's Monthly Report – April 2020
10. Engineer's Status Report – Mid-May 2020
11. Budget Monthly Report – May 2020

Old Business / New Business

Councilwoman D'Arminio thanked Councilman Accomando and Council President Cimiluca along with one of our police captains who have gone around to look at locations to hang up our speed signs. She said I would like to see a speed hump across the street from Avon Park in front of the handicapped parking spot. I would ask the committee to do that.

Council President Cimiluca said I was under the impression that the perfect spot for a speed hump would be the spot where they have the handicapped parking. You're saying there's a parking space in front of that – I thought that was a handicapped access ramp.

Councilwoman D'Arminio said there is another spot in front of handicapped parking. I would appreciate if you took a look at that.

Council President Cimiluca said the committee did prioritize locations that not only have gotten complaints but locations that have a lot of pedestrian traffic with an emphasis on schools. We recommended two speed signs going south bound, one before the park entrance that will be placed on Saddle River Road and the other one further south at the corner of Cambridge and Saddle River Road because there is that unofficial entrance that they don't want you to use, but it's being used. He said we recommended on the northbound side to have a speed sign on the corner of Daniel Court and Saddle River Road and one before the official entrance of Otto C. Pehle Park.

He said we have a lot of complaints on Liberty, coming in and out of the parking lot at the high school. We recommend a speed hump there. We were initially going to do a speed sign going westbound on Leswing. We have sent a letter to the residents on Leswing to see if they feel there is a legitimate speed concern there. The other speed hump that we talked about was on Wilson Street. I have discussed it with Mr. Klein, we don't want to duplicate efforts. He has Wilson on his list of streets to be paved, but if the Council agrees to put Wilson at or near the top of the 2021 road pavement program, it seems to not make a lot of sense to do the speed hump now. If the Council is not prone to do that then it would be worth it to do it now. Does anyone have an issue with Wilson being one of the streets that we're going to concentrate on in 2021, obviously based on available funds?

Councilman Gieriek said Wilson definitely needs to be paved, it's in pretty rough shape.

Councilman Accomando agreed.

Council President Cimiluca said based on Councilman Gieriek's insight I went back over there and talked to the engineer. We can hold off on it for this year if it's going to be a priority item for next year. He asked Mr. Accomando if he was okay with putting Wilson off until next year. Councilman Accomando said absolutely.

Mayor White said I think that's a great idea, Wilson is in pretty bad shape.

Council President Cimiluca said Wilson is a priority street you believe is in need. Mr. Klein said yes.

Council President Cimiluca said we're going to withdraw our recommendation for a speed hump on Wilson at this time in anticipation of getting it done as part of the 2021 Road Program.

Councilman Accomando said I agree with Karen as far as the speed hump by Avon Park since the Angels play there. Anything we can do to slow the traffic down there would be a positive thing for the kids.

Council President Cimiluca said I thought that spot Karen was speaking about was a wheel chair ramp. I'm going to have to go back and look and we will talk to Bob. He then asked Mr. Klein if he put in a change order. Mr. Klein said no. We can process that change order for next month because they will probably stripe it just after.

Council President Cimiluca discussed striping on Fairlawn Parkway and said Plan 3 or Plan C would accomplish our goal of trying to quell traffic as much as possible on that extremely wide area of the roadway. You're going to report back to us on your thoughts. Mr. Klein said yes.

Council President Cimiluca said in the next two weeks we will be paving Fairlawn Parkway. Mr. Klein said I will reach out tomorrow.

Council President Cimiluca said apparently another vape shop opened on Saddle River Road. The council is trying to limit the number of vape shops in town and also limit the locations. As of publication we do have an ordinance limiting publication and we introduced another one because that location is in our overlay district

He said in terms of new business I want to welcome Bubakoos Burritos in the mall across the street.

All Saddle Brook businesses are taking a hit. We can't wait for things to open up once more.

Mayor White said I want to elaborate a little bit more about the protest. I didn't want to bring it up tonight because I still don't have adequate information. I certainly don't want to give any misinformation to the public. There was a flier on social media about a protest this Saturday coming up, June 6th at 4:00 PM in the area of 419 Market Street, which is the Dollar General, regarding the Floyd incident that happened in Minneapolis. Our police department has been working all day, and they did contact the organizer and they did confirm that they are going to have this protest. There is probably going to be 50 to 70 people, and they plan to walk from Dollar General. It does appear to be the same group that protested today in Garfield, and that was a peaceful event. They had close to 500 people. It was peaceful. They are supposed to walk to the police department. I've been receiving calls all day from people concerned about possible violence, some of them really want to join the protest. I think we need to come out with some kind of notification tomorrow to give out to our residents. We definitely have to notify the businesses and request that they maybe close early. We are going to have additional manpower. We helped out today in Garfield, I'm sure we'll get some help there from Bergen County sheriff's department and the counter terrorism unit. We're going to handle this thing. I'm sure I will have more information tonight when I get briefed by the chief.

Council President Cimiluca said America was founded on protests, and people have the right to protest and air their grievances. We hope this will be peaceful, and there's no reason not to believe it will be peaceful. He spoke about a peaceful protest in Oakland. There's no reason to come to this if you are going to agitate. There's no reason for this to escalate into anything other than people who want to air their grievances and be heard. Saddle Brook is a great town, and I think we're above getting caught in allowing this to escalate. I expect it to be peaceful.

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

Motion: Councilwoman D'Arminio Second: Councilman Accomando

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

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

Motion: Councilwoman D'Arminio Second: Councilwoman Mazzer

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

Councilwoman D'Arminio congratulated the graduates, and to all the parents who home schooled their children through these times, congratulations to you also.

Mayor White thanked former Mayor Karen Chamberlain through the chair for sending a wreath in memory of PO Norma Aedo whom she hired. We displayed the wreath by the monument in front of Town Hall. It was a very classy thing to do.

Mr. Lo Dico said he hoped to see everyone in person in July.

Council President Cimiluca asked for a motion to adjourn.

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

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

Meeting adjourned at 7:20 PM.

Respectfully submitted,

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

Approved: July 2, 2020

Andrew M. Cimiluca
Council President