

The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on May 7, 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 Gierak – present
Councilman Accomando – present
Councilwoman Mazzer – present
Council President Cimiluca – present

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

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

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.

Motion: Councilwoman D'Arminio Second: Councilwoman Mazzer

Councilwoman D'Arminio – yes
Councilman Gierek – 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

COMMENTS

Councilwoman D'Arminio mentioned the stay-at-home order being extended until June 5th and hoped all residents would stay safe.

Council President Cimiluca noted the tax deadline was extended until June 1st and the State of Emergency extended until June 5th.

Councilman Gierek thanked the first responders and wished all the residents good health and a Happy Mother's Day.

Councilman Accomando thanked the Mayor for his weekly updates and wished everyone a Happy Mother's Day.

Councilwoman Mazzer thanked the Mayor and the administration for keeping everyone calm. She thanked the first responders and wished everyone a Happy Mother's Day.

Council President Cimiluca said we are coming along with the new municipal complex and hopefully will be having the closing on the property soon. Regarding taxes, he said we are authorized by the state to have a one-month grace period, however anything paid past June 1st would be charged interest.

He said he felt everyone was in agreement that the paving program is much smoother and quicker than last year, and that's because we have a better contractor. He noted speed humps have been provided, and hopefully they will help quell traffic on those streets. He said we are not doing Fairlawn Parkway. We may try striping, and if that doesn't cure it, we will try other things. The traffic committee is trying to find the best places for speed signs and speed humps. A banner has been placed on Market Street thanking first responders and essential personnel.

Mayor White thanked Councilwoman Mazzer and Councilman Accomando for their kind remarks. He said there is a \$97 increase in the budget on an average home valued at \$353,112 and noted we went through every line item, and we will be closely monitoring our spending.

The Mayor said we are voting tonight on the SLEO ordinance for security in our schools; we continue to pursue grants, the road program and infrastructure improvements. He thanked Mr. Lo Dico for all he did, as well as Mr. Wielkotz and Mr. Conte and said it has been a tough year because of COVID. He noted estimated taxes will be out in August and said it will be difficult, but we have to do it. He said the budget deadline was extended and reminded everyone we have a good section on COVID-19 on our website.

Mayor White said this is the new normal, and this virus is going to be here for a long time. However, opening of the parks went smoothly. He thanked everyone for their donations of PPE and noted Mr. Glen Leone donated \$5000 to the ambulance corps in the name of the foundation he started for his sister Karen Kenney who passed away.

The Mayor said schools remain closed for the rest of the year and hopefully will reopen in September; the police memorial has been cancelled, the Kiwanis Fishing Derby and spring sports have been cancelled. The Coronation Ball has been postponed until August 28th. Recreation summer camp, Junior Police Academy and the Fireworks have also been cancelled.

Mayor White noted the CDBG meeting was yesterday by teleconference and the next meeting would be May 21st. He noted the sign fund raiser for the ambulance corps has gone very well. We have sold over 250 signs. He said it was a great idea by Andrew to put the banner up on Market Street.

Regarding the virus numbers that are posted on Facebook every night, the Mayor said unfortunately we have no way to break them down any further. He said residents want to know some good news, such as what about people who have recovered. He said most people fully recover. That's the best we can do. He said he wished he could give more information, but we are doing the best we can.

The Mayor said it's Teacher Appreciation Week and he thanked the teachers including Councilman Gierek who is a teacher in Garfield. He noted the Archbishop said as of May 9th visitations and funerals will now be allowed at the Catholic cemetery.

He concluded by wishing everyone a Happy Mother's Day.

Municipal Budget

Mr. Wielkotz discussed the \$96.99 municipal tax increase for 2020 and said we spent a lot of time going back and forth, and I think we came up with the best result we can have. He noted the County budget was put on hold by the virus and said the public hearing on our budget would be on June 4th.

Mr. Wielkotz said Moody’s has rated Saddle Brook an AA2 and there was very positive language in their report. He said the debt burden will remain moderate and decline long-term, and this is something the Mayor and Council should be very, very proud of.

Councilman Gierek said he wanted to ask what the overall health of the Township finances was, but Mr. Wielkotz already answered his question.

Council President Cimiluca asked Mr. Wielkotz to explain how part of the delay in the closing on the new municipal building had to do with interest and we were able to save millions of dollars.

Mr. Wielkotz explained that the virus delayed the bonds, and while there was a lot of uncertainty, we were able to sell the bonds at a good rate. Everyone involved did a tremendous job. We are now set to close on the borrowing on May 13th and on the real estate a day or two after that.

Council President Cimiluca thanked Mr. Wielkotz and everyone for their patience.

TOWNSHIP OF SADDLE BROOK
RESOLUTION

CR# 520-79

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Calendar Year 2020; and

BE IT FURTHER RESOLVED, that said Budget be published in “Our Town” in the issue of May 14, 2020.

(a)	\$19,152,993.29	(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)	\$843,690.00	(Item 5 below) Minimum Library Tax

SUMMARY OF REVENUES

1. General Revenues		
Surplus Anticipated	08-100	1,550,000.00
Miscellaneous Revenues Anticipated	40004-10	3,286,466.63
Receipts From Delinquent Taxes	15-499	435,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	19,996,683.29
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		843,690.00
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	25,268,149.92

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS	
Within "CAPS"	
(a&b) Operations including Contingent	16,552,985.00
(e) Deferred Charges and Statutory Expenditures – Municipal	2,112,403.00
(g) Cash Deficit	
Excluded from "CAPS"	
(a) Operations – Total Operations Excluded from "CAPS"	5,599,503.63
(c) Capital Improvements	100,000.00
(d) Municipal Debt Service	3,369,270.00
(e) Deferred Charges – Municipal	3,258.29
(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

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

Roll Call:

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

Council President Cimiluca noted again that the hearing on the budget would be on June 4th. He said things change every day due to COVID, and we have to play it by ear, but the budget will be on the town website, and Mr. Wielkotz will be present on June 4th for any questions.

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**

Council President Cimiluca asked Mr. Suarez if we would have to have another first reading if we made certain changes to this ordinance, for instance changing 1500 feet to 1000 feet.

Mr. Suarez said he did not think that would be a significant change.

Council President Cimiluca said we can go over this as there are other things we are going to talk about on June 2nd. Mr. Suarez said then we may have to re-introduce it.

The Council President announced that a motion is in order that this ordinance be tabled until the June 4th meeting.

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

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

2. ORDINANCE #1682-20 – FIRST READING **“AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK”**

The Council President announced that the next order of business is the introduction of **“AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK”**

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

Motion: Councilman Gierrek

Second: Councilwoman D'Arminio

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

CR# 520-80 **“AN ORDINANCE AMENDING CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK”**

by the Township Council of the Township of Saddle Brook that heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 4th day of June, 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 Mazzer

Second: Councilwoman D'Arminio

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

3. ORDINANCE #1683-20 – FIRST 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 next order of business is the introduction of **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 directed the Township Clerk to read the resolution regarding passage and adoption on first reading.

Motion: Councilman Gieriek

Second: Councilman Accomando

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

CR# 520-81

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)

by the Township Council of the Township of Saddle Brook that heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 4th day of June, 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: Councilwoman Mazzer

Councilwoman D'Arminio – yes
Councilman Gieriek – 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 said Resolution #10 {CR# 520-91} and #11 {CR# 520-92} would not be part of the consent agenda.

Motion: Councilwoman Mazzer

Second: Councilman Gieriek

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

***MINUTES**

1. April 9, 2020 – Regular Public Meeting

***RESOLUTIONS**

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING THE SUBMISSION OF A FY 21 MUNICIPAL AID
GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ROADWAY
IMPROVEMENTS TO MAYHILL STREET**

CR# 520-82

WHEREAS, the New Jersey Department of Transportation has funds available for transportation infrastructure projects through its FY21 Municipal Aid Program; and

WHEREAS, this application would provide funding for roadway improvements along Mayhill Street; and

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Saddle Brook formally approves the grant application for the above-stated project; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Mayhill Street Phase II-00027 to the New Jersey Department of Transportation on behalf of the Township of Saddle Brook.

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Saddle Brook and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion: Councilwoman Mazzer

Second: Councilman Gierek

Roll Call:

Councilwoman D'Arminio - yes

Councilman Gierek - yes

Councilman Accomando - yes

Councilwoman Mazzer - yes

Councilman President Cimiluca – yes

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 520-83

WHEREAS, the Township of Saddle Brook is a member of the Sourcewell cooperative purchasing program; and

WHEREAS, the Township of Saddle Brook has interest in purchasing a Pierce Model 796 Enforcer Non Walk-in Rescue; and

WHEREAS, Sourcewell has a contract 022818-PMI for the purchase of the Pierce Model 796 Enforcer Non Walk-in Rescue; and

WHEREAS, a Certificate of Availability Funds has been filed by the Chief Financial Officer stating that funds are available in account #04-2156-55-9916-901 of the Capital Budget,

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook that the purchase and delivery of one new Pierce Model 796 Enforcer Non Walk-in Rescue be awarded to Pierce Fire and Safety Service, 200 Ryan Street, South Plainfield, New Jersey, 07080, through the Sourcewell cooperative purchasing program, Contract # 022818-PMI in an amount not to exceed \$1,362,668.47.

Second: Councilman Gieriek

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

08-2020

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.

Pierce Enforcer Non Walk-in Rescue Truck

04-2150-55-1676-902

General Capital

\$1,362,668.47

93003

Timothy Conte
Chief Financial Officer

CHECKED BY _____

CR# 520-84

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

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

Second: Councilman Gierek

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 520-85

WHEREAS, 4 Clean Up Inc. was awarded a contract in the amount of \$466,431.07 for 2019 Road Program; and

WHEREAS, Richard G. Arango, Twp. Engineer, during the course of the work being performed by 4 Clean Up Inc. recommended Change Order #2 for \$26,201.00; 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 \$26,201.00, a total contract amount of \$510,632.07 providing funds are available.

Motion: Councilwoman Mazzer

Second: Councilman Giersek

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 520-86

WHEREAS, the Township is desirous to have the sanitary sewer cleaning & video inspection as part of the 2020 road program; and

WHEREAS, 3 quotes were obtained from contractors for this work, and the recommendation was made that National Water Main Cleaning Co., submitted the lowest responsible quote of \$26,024.75

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook that it hereby approves the proposal from National Water Main Cleaning Co. in the amount of \$26,024.75 providing funds are available.

Motion: Councilwoman Mazzer

Second: Councilman Giersek

Roll Call:

Councilwoman D'Arminio - yes
Councilman Giersek - 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: Sanitary Sewer Cleaning – 2020 Road Program

ACCOUNT 04-2150-55-1677-902

FUND General Capital

AMOUNT \$26,024.75

PURCHASE ORDER NO. 93002


Timothy Conte
Chief Financial Officer

DATE _____

CHECKED BY _____

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 520-87

WHEREAS, the Township of Saddle Brook advertised for bids for North Leswing and South Leswing Road Improvements; and

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

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

WHEREAS, the low bidder is 4 Clean Up, Inc., PO Box 5098, North Bergen, NJ with a base bid of \$248,501.60; 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 North Leswing and South Leswing Avenue to 4 Clean Up in the amount of \$248,501.60 providing funds are available.

Motion: Councilwoman Mazzer Second: Councilman Gierak

Roll Call:

- Councilwoman D’Arminio - yes
- Councilman Gierak - 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.

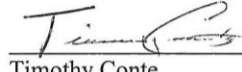
PURPOSE: North and South Leswing Road Improvements

ACCOUNT 04-2150-55-1651-902

FUND General Capital

AMOUNT \$248,501.60

PURCHASE ORDER NO. 93001


Timothy Conte
Chief Financial Officer

DATE _____

CHECKED BY _____

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under the Title VII of the Civil Rights Act of 1964"

CR# 520-88

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c. 183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under the Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. 2000 *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Township of Saddle Brook, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c. 183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Motion: Councilwoman Mazzer

Second: Councilman Gierek

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

A RESOLUTION AUTHORIZING THE TOWNSHIP OF SADDLE BROOK TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994 C. 72

CR# 520-89

WHEREAS, the Township of Saddle Brook will have a public hearing regarding its scheduled budget adoption on June 4, 2020 and the Bergen County Board of Taxation is unable to certify Saddle Brook's tax rate at this time and the Township of Saddle Brook's Tax Collector will be unable to mail the Borough's 2020 tax bills on a timely basis; and

WHEREAS, the Township of Saddle Brook's Tax Collector and Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Governing Body of the Township of Saddle Brook requests the Director of the Division of Local Government Services to approve the estimated tax levy conforming with the 105% listed below. Approval will enable the Township to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest on borrowing,

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Saddle Brook, in the County of Bergen, State of New Jersey on this 7th day of May 2020, as follows:

1. The Township of Saddle Brook's Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township for the third installment of 2020 taxes. The Tax Collector shall proceed upon approval from the Director and take such actions as are permitted and required by P.L. 1993, c. 72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2020 is hereby set at \$60,700,831.00
3. In accordance with the law, the third installment of 2020 taxes shall not be subject to interest until the later of August 10th or the twenty-fifth day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date of which interest may begin to accrue.

Motion: Councilwoman Mazzer

Second: Councilman Gierek

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 520-90

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 **\$3,623,150.40** PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.

Motion: Councilwoman Mazzer Second: Councilman Gierek

Roll Call:

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

THE FOLLOWING RESOLUTION CR# 520-91 IS NOT PART OF THE CONSENT AGENDA.

Councilwoman Mazzer recused herself from the meeting at this time.

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 520-91

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
92370; 92677 92719	STONE BROOK GARDEN	\$187.00

Motion: Councilwoman D’Arminio Second: Councilman Gierek

Roll Call:

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

Councilwoman Mazzer returned to the meeting at this time.

THE FOLLOWING RESOLUTION CR# 520-92 IS NOT PART OF THE CONSENT AGENDA.

Councilwoman D’Arminio recused herself from the meeting at this time.

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 520-92

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
92401; 92674 92675	MAZZONE PLUMBING, INC.	\$1,825.00

Motion: Councilwoman Mazzer Second: Councilman Gierrek

Roll Call:

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

Councilwoman D’Arminio returned to the meeting at this time.

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION INSTITUTING A GRACE PERIOD CONCLUDING ON JUNE 1, 2020
FOR THE PAYMENT OF SECOND-QUARTER PROPERTY TAXES**

CR# 520-93

WHEREAS, Governor Philip D. Murphy issued Executive Order 103 on March 9, 2020, declaring a Public Health Emergency and a State of Emergency exists in New Jersey due to the worldwide COVID-19 pandemic; and

WHEREAS, the aforementioned Public Health Emergency and State of Emergency continue to exist; and

WHEREAS, N.J.S.A. 54:4-67(a) provides that a municipality may fix the rate of interest to be charged for the nonpayment of taxes, assessments or other municipal liens or charges, on or before the date when they would become delinquent, and may provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became delinquent, thereby establishing a grace period running through May 11, 2020 for second-quarter property taxes, as to the Township of Saddle Brook’s budget cycle; and

WHEREAS, on April 28, 2020, Governor Murphy issued Executive Order 130, which in pertinent part authorizes municipalities to establish a grace period extension no later than June 1, 2020 for payment of second-quarter property taxes, and declares that any provisions of N.J.S.A. 54:4-66(a), N.J.S.A. 54:4-66.1(a) and N.J.S.A. 54:4-67(a) inconsistent with the Executive Order are suspended for the duration of the Public Health Emergency; and

WHEREAS, the Township Council is aware that under New Jersey law and Executive Order 130 if property taxes become delinquent on or after June 2, 2020, interest will revert back to the statutory due date of May 1, 2020, and the Township Council further believes that it is important that the public be aware of the consequences of a late payment; and

WHEREAS, for the benefit of Saddle Brook's property taxpayers, the Township Council believes it is necessary and appropriate to exercise the authority granted by Executive Order 130 and institute a grace period through June 1, 2020 for the payment of second-quarter property taxes.

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

1. The preamble to this resolution is hereby incorporated as fully restated herein.
2. The Township Council hereby institutes a grace period through June 1, 2020 for the payment of second-quarter property taxes for properties in the Township of Saddle Brook in accordance with the provisions of Executive Order 130, provided, however, that if property taxes become delinquent on or after June 2, 2020, the law mandates that interest reverts back to the statutory due date of May 1, 2020.
3. A certified copy of this Resolution shall be forwarded by the Township Clerk to the Director of the Division of Local Government Services in the Department of Community Affairs within three (3) business days of the adoption of this Resolution.
4. A certified copy of this Resolution shall be forwarded to the Tax Collector, Chief Financial Officer, and Administrator.
5. This Resolution shall be immediately effective.

Motion: Councilwoman Mazzer

Second: Councilman Gierek

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 520-94

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the following requisition(s) submitted to the Township Council for purchases over \$2,500.00 be approved providing funds are available:

<u>DEPARTMENT</u>	<u>COMPANY</u>	<u>ITEM</u>	<u>AMOUNT</u>
DPW	NATIONAL WATER MAIN	TELE STORM PIPE	\$3,440.00

Motion: Councilwoman Mazzer

Second: Councilman Gierek

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# 520-95

WHEREAS, the Mayor and Council of the Township Council of the Township of Saddle Brook have been advised that an emergency affecting the safety and welfare of the citizens of the Township of Saddle Brook and the general public, when the muffin monster cartridge be replaced at the Mayhill pump station; and

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

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

WHEREAS, the total cost of repairs is \$40,165.00 which is a fair and reasonable cost; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the Capital Fund in account 04-2150-55-1677-902; and

NOW, THEREFORE BE IT RESOLVED Township Council of the Township of Saddle Brook that pursuant to N.J.S.A. 40A: 11-6, which authorizes the governing body to award a contract without benefit of bidding in emergency situations, and that the vendor, Rapid Pump and Meter Service Co., Inc, 285 Straight St., Paterson, NJ, 07509, be awarded.

Motion: Councilwoman Mazzer

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.

Replacement of Muffin Monster Cartridge
Mayhill Pump Station

PURPOSE: _____

04-2150-55-1677-902

ACCOUNT _____

General Capital

FUND _____

\$40,165.00

AMOUNT _____

93004

PURCHASE ORDER NO. _____


Timothy Conte
Chief Financial Officer

DATE _____

CHECKED BY _____

***CORRESPONDENCE**

1. Stephen Pellino Re: Proposed Ordinance #1680-20
Basile, Birchwale and
Pellino, LLP

To: Peter Lo Dico, Twp. Clerk Date: April 22, 2020

I write to you as the attorney for the Planning Board of the Township of Saddle Brook. Pursuant to your request, the Planning Board did, at a regularly scheduled meeting on April 21, 2020, conducted by teleconference, review proposed Ordinance No. 1680-20.

The Planning Board, first of all, recognizes and appreciates the apparent intended purpose of the ordinance, which is to help reduce the proliferation of electronic smoking devices and vaping products within the Township of Saddle Brook, and especially to the young people of the Township. Inasmuch as one of the goals of the master plan is to provide for a variety of uses within a given municipality, but to limit them to areas where they are appropriate, the Planning Board does find that the proposed ordinance is consistent with the master plan.

The Planning Board does, however, have suggestions and recommendations for consideration by the Mayor and Council as set forth in the following paragraphs. These recommendations are not mutually exclusive and in some cases are not consistent with each other. Recommendations are as follows:

1. The Planning Board suggests the Mayor and Council clarify the meaning of the part of the ordinance which extends the prohibition of electronic smoking device establishments and vape shops “1,500 feet from the driveway of any and all properties in the aforesaid permitted area”.

2. The Planning Board suggests that the area where the ordinance restricts electronic smoking device establishments and vape shops may be so restrictive as to not provide a realistic opportunity for the location of a vape shop and accordingly may jeopardize the constitutionality of the ordinance. It is suggested by the Planning Board that the Mayor and Council consider expanding that area, perhaps along the Route 46 corridor.

3. The ordinance defines a vape shop as a commercial establishment whose “principal business” is the retail sale, service or use of electronic smoking devices, etc. The Planning Board suggests to the Mayor and Council that determining whether the principal business of a commercial establishment is vaping will be difficult. It is suggested that the Mayor and Council consider establishing criteria. Specifically, the Council may want to define a principal use by virtue of the type and size of signage. For instance, if the business has large signs advertising vaping, then perhaps vaping should be considered to be a principal business use.

4. The ordinance delineates a geographic area as being an area where vape shops would be permitted. The Planning Board recommends that the Council consider establishing a separate zone where vape shops are permitted.

5. The Planning Board suggests and recommends that the Mayor and Council consider making vape shops and retail electronic smoking device establishments conditional uses. In other words, the use would be permitted in the zone or areas that the Mayor and Council believes are appropriate, but subject to specific conditions. Those conditions might include distance from a residential area, distance from a school, size of the establishment, size of signs, etc. In this manner, the Mayor and Council could effectively limit vape shops to areas where it would make particular sense. Should the Mayor and Council consider this option, it is suggested that the Township Planner be involved in selecting the areas and developing the specific conditions.

Thank you.



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

**Re: 2020 Road Program Sanitary
Sewer Cleaning & Video
Inspection Recommendations to
Award Quote**

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

At your direction, this office requested quotes for the above work from five (5) contractors. This office received quotes and the results of the quotes are as follows:

- | | |
|--|--------------|
| • National Water Main Cleaning Company | \$ 26,024.75 |
| • North American Pipeline Services | \$ 28,430.00 |
| • 11 Enviro Group LLC | \$ 34,050.40 |
| • Public Sewer Service | No Bid |
| • En-Tech Corporation | No Bid |

We have reviewed the submitted information from all contractors and find National Water Main Cleaning Company to be the lowest responsible contractor. We recommend that the Township of Saddle Brook prepare a Purchase Order in the amount of \$26,024.75. Copies of the quotes submitted are enclosed for your review. 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 National Water Main Cleaning Company.

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.

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

**Re: 2019 CDBG Rochelle Parkway
Road Improvements Pay
Certificate No. 2**

To: Peter Lo Dico, Twp. Clerk Date: April 17, 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 **\$26,460.00** for Certificate No. 2.

With the Change Order No. 1, the total contract price is \$211,204.45. Therefore, 46% 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
Engineers FY'2019 NJDOT Various Streets
Improvements Change Order No. 1**

To: Peter Lo Dico, Twp. Clerk Date: April 24, 2020

Please be advised that this office is recommending approval of attached Change Order No. 1 which adjusts the contract quantities to add a supplemental item.

The contract breakdown is as follows:

- Original Contract \$ 508,453.05
- Change Order No. 1 \$ 7,800.00
- **Amended Contract Total \$ 516,253.05**

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

**5. Robert Klein, PE Re: North and South Leswing Road
Remington Vernick Improvements Recommendation
Engineers to Award**

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

We have tabulated the bids received on Tuesday, April 28, 2020, with reference to the above-captioned project and find the lowest bidder to be 4 Clean Up Inc, PO Box 5098, North Bergen, NJ 07047 in the amount of \$248,501.60 representing the base bid on the quantities for items #1-25 inclusive.

A copy of the tabulation & original bid documents are enclosed for your review.

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 4 Clean Up Inc.

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.

6. **Robert Klein, PE** Re: **608 North Midland Avenue Storm
Remington Vernick Sewer Repair (RE-BID)
Engineers Recommendation for Payment**

To: Peter Lo Dico, Twp. Clerk Date: April 23, 2020

We have reviewed the attached invoice submitted by North American Pipeline LLC (NAP) for the storm sewer repair work completed on April 22, 2020. RVE has found all items to be reasonable and just and we therefore recommend payment to be made to NAP in the amount of \$8,750.

Should you have any questions or require additional information, please do not hesitate to contact our office.

***RAFFLES & APPLICATIONS**

None

***REPORTS**

1. Municipal Court Monthly Report – March 2020
2. Construction Code Official Report – March 2020
3. Property Maintenance Monthly Report – March 2020
4. DPW Monthly Report – March 2020
5. Water Billing Monthly Report – March 2020
6. Tax Collector's Monthly Report – January 2020
7. Engineer's Status Report – Mid-April 2020
8. Grant Writer's Report – March 2020

Old Business / New Business

Through the chair, Mayor White thanked Council President Cimiluca for taking the lead on the traffic control committee. He said the mayor of Fair Lawn is interested in having his engineer meet with the committee to work on the traffic on Fairlawn Parkway. We get a lot of complaints about speeding and traffic, and Andrew and Todd will be very busy.

Council President Cimiluca said he hoped the town would be proud of what they do.

Under old business Council President Cimiluca said he thought the grant writer was doing a very good job. Regarding the increases in expenses in the budget, he said we have to understand that COVID killed the revenue we get from our hotels. We took a significant hit in the revenue we get from Crowne Plaza and the Marriott. In addition, with a lot of people not driving, revenues from traffic tickets are down. The municipal court has not functioned in over two months. All that adds up to a tax increase, but for us to get less than \$100, kudos to everyone involved.

Councilwoman D'Arminio wished everyone a Happy Mother's Day. Council President Cimiluca echoed her sentiments and said we are in a strange new world.

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 Mazzer

Second: Councilwoman D'Arminio

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

Council President Cimiluca asked for a motion to adjourn.

Motion: Councilman Gierak

Second: Councilwoman Mazzer

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

Meeting adjourned at 7:02 PM.

Respectfully submitted,

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

Andrew Cimiluca
Council President

Approved: