

The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on October 1, 2020 at 7:00 PM at the Senior Center, 8 Caldwell Avenue, 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 – absent
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 and remain standing for a moment of silence in remembrance of retired police officer Lenny Azzarone, founder of SBCTV.

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.

Presentation

Council President Cimiluca introduced Bergen County Freeholders Steven Tanelli and Tracy Zur.

Mayor White introduced Police Officer Kimberly Diaz and praised her for recently saving a teenager threatening to harm themselves and said he would read a proclamation commending her for her actions. He presented a certificate from Congressman Bill Pascrell in recognition of Officer Diaz and then invited Freeholders Tanelli and Zur to speak.

Freeholder Tanelli congratulated Officer Diaz and read a resolution declaring October 1, 2020 Officer Kimberly Diaz Day. He spoke briefly about the importance of reaching out to youth in need and how much he appreciated Officer Diaz's efforts.

Freeholder Zur spoke about the importance of providing our first responders with the proper tools and training to make a positive impact. She thanked Officer Diaz on behalf of the Freeholders and all of Bergen County.

Council President Cimiluca read the Council resolution {CR# 1020-182} commending Officer Diaz for her actions in averting a tragedy and presented it to Officer Diaz.

Mayor White invited Chief Kugler to say a few words. Chief Kugler thanked Officer Diaz for preventing tragic consequences. He thanked the Mayor and Council, the Freeholders and the public for their comments in support of Officer Diaz.

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 Gierak – yes

Councilman Accomando – absent

Councilwoman Mazzer – yes

Council President Cimiluca – yes

Ms. Carrie Hook of 113 Cambridge Avenue said speeding is getting worse and worse on her street where Smith School is. She expressed concern about loud mufflers and asked if the police department is permitted to issue tickets or summonses when there is an illegal noise problem with a muffler.

Council President Cimiluca said there is a statute, but it's really for exhaust gases. The noise ordinance for vehicles is very hard to enforce. It's almost like going through a stop sign. You can say there's people going through the stop sign, but unless the officer is there and they don't see it, it's tough to do it. He then asked Ms. Hook are they passing your house as you're looking at your house from left to right or right to left? Because they're only going three houses.

Ms. Hooks said they're coming down Cambridge toward the field and blowing through the stop sign and driving sometimes 50 or 60 miles an hour. Somebody told me to try and get plates. There's no way I can make it to street that fast, it's impossible. In the summer, it was really prevalent. I had somebody 5:30 in the morning because I could hear them coming three blocks away and wake me up.

Council President Cimiluca said if they do stop at the stop sign it's almost impossible to get to a speeding – I guess they could jam on the gas, but you're only three or four houses from the stop sign, so in order to get there, they'd have to blow through a stop sign even on Nightingale or make a fast turn or just go straight through.

Ms. Hooks said I just wanted to bring it to the Council's attention, the police department's attention. I do see them occasionally in Smith School lot, but I think it's slowed down by then. They're blowing past my house really speeding, and the noise - I know it's a difficult situation to deal with, but to me there is no – if you hear someone coming from four blocks away, there's something wrong, but I don't know who they are. I just wanted to bring it to people's attention, so maybe the police department can be alert to this situation that's going on. And wondering if we would be able to get a speed bump on Cambridge.

Council President Cimiluca said I know we have the speed sign there, but getting a speed bump near Smith school isn't going to help you because they're already past you by that time, right?

Ms. Hooks said correct. I meant like near my house so when they blow through the stop sign...

Council President Cimiluca said see that's the problem is they're not supposed to blow through the stop sign. We don't have to have a speed bump right near a stop sign because – that's the problem – if people would even kind of follow the law, even coming to a California stop they call it – through the stop sign, you wouldn't have that problem, but if they're just – totally – they're taking their lives into their own hands and possibly taking other people's lives into their hands, which is not a good situation, but we are evaluating all spots. We have a committee, and we felt that the combination of all those stop signs and the speed sign would help mitigate the speed concerns. Perhaps it's doing it, perhaps it's not. I'm going to ask if anyone else is here to talk about speeding. Then I'm going to bring the chief up because it's an enforcement issue, and who better, since we happen to have the chief.

Mayor White asked Ms. Hook through the chair if when she sees someone speeding or with a loud muffler does she call the police.

Ms. Hook said they're driving 50 or 60 miles an hour.

Mayor White said I know but even just a description of the car, color. Maybe there's a police officer in the immediate area. I'm glad you're here because that brings it to the chief. It brings it to the attention of the police to keep extra checks, but if you do see something don't feel funny calling. It's not like you're going to be labeled a pain in the neck, believe me. We need people to report stuff. I get a lot of people that contact me afterwards, and I ask them that, and they say no, and of course I bring it to the attention of the chief, but when it's happening right then and there, it's good to call.

Ms. Hooks said it's hard to get a description of the car.

Council President Cimiluca suggested trying to get the make and color of the car and said it doesn't hurt because it will be on record.

Ms. Sylvia Zottarelli of 236 Lanza Avenue said to reiterate what Ms. Hook said, by Franklin if they fly through the stop sign, they're going to end up on my lawn. It's happened in the past. On Caldwell and Lanza right by the school but that's not what I was really here for. I think all school districts should have a speed bump regardless of which school it is. It slows down the traffic. It's horrible, it really is. My other complaint is the all you can eat buffet in Wal-Mart parking lot. I spoke to Pete about this during the course of the month, and they have an outdoor restaurant. Now I'm not looking to hurt anybody, but on weekends it has now become an outdoor disco. The ordinance says ten o'clock, but to your point what is loud, what isn't? Who thinks it's loud, who doesn't think it's loud? Eleven o'clock they're still out there, and that base is blowing windows out. I swear. By the time you call the cops with the racing and everything – I've called the cops. Both my neighbors have. Cops get there, it stops. So those are my complaints.

Council President Cimiluca invited Chief Kugler to address the issue. He said he had asked Mr. Lo Dico last month to ask the chief for enhanced enforcement on Fairlawn Parkway and said we'd like a report on that and also a zero tolerance policy. We don't want people to get out of it. There should be consequences to actions and three to do what you have to do or make an attempt to get the speed monitoring device from the county. I don't know if it's available, but now we've got some other complaints near Fairlawn Parkway. Ms. Hook is on Cambridge near Fairlawn Parkway, and Ms. Zottarelli is on the corner of Lanza and Caldwell. Damon, who lives on Fairlawn Parkway, has come to a number of meetings complaining about the speeding. What we've done is attempt to quell it through striping, and we need the people to know what the police are doing in regard to these complaints which really have been for the past several months it's non-stop. I get emails, I get texts, I get videos sent to me of what's going on, and they come to the public meetings, so just if you could address the citizens at this point.

Chief Kugler said traffic safety is important to any community, and Saddle Brook is not immune to people speeding through town, people with loud radios or motorcycles with loud mufflers. We as people understand that some of these things are a pain in the neck, but when it comes to speeding, speed kills. We're lucky we haven't had too many crashes or too many serious incidents or accidents, but we have had people killed in town. We've had some serious accidents. I can tell you the town is trying to do whatever we can. The police department supports what the town has done, a couple of initiatives the town has done, those speed boxes are mounted on utility poles throughout the town. There is a lot of them. Now does that help? It helps some people realize how fast they're going. He emphasized the need for public education and then said zero tolerance is great in theory, but zero tolerance doesn't work. Zero tolerance means 26 you're getting a ticket. We're not robots. We're not going to give a ticket to somebody we know. Unfortunately, that's what happens and that's reality. You think if anyone here is pulled over, you think a police officer is going to write them a ticket?

Zero tolerance is an issue. So it's not that everybody over 26 miles an hour is going to get a ticket. It's not going to happen, folks. I can tell you, reality from a police officer's perspective on a 25 mile an hour roadway if someone is doing over 30, he can be targeted. At 29 they're not pulling them over. Again, let's get back to the community public education part, that's important. And the town has done several things. These speed humps are all over town. I know people want them on their block. There're people that want them by me on Fifth Street.

Chief Kugler said the police department is trying to do the best we can. The month of September the Council President had the Business Administrator reach out to the police department and say zero tolerance, let's get out there. We tried our best. We assigned police. We issued 13 speeding summonses and a number of other type of summonses. But 13 speeding summonses in one month, and I can tell you just on Fairlawn Parkway there was a lot because we don't really write that many speeding tickets annually. He said speeding is a problem not only in Saddle Brook, all over. As far as the loud mufflers and everything else, the mobile sources of noise, very hard to enforce. If they're driving around with that loud muffler for three or four months, and we know who it is, we should target them and at least give them a warning, then maybe perhaps enforce after that. He added the police department will continue to work with the town based on your complaints to us and do whatever we can to provide at least a safe and secure community. My office is always open to talk to people. I'm a lifelong resident of this town, the police chief for 26 years. I can tell you I care, and that philosophy is right through the police department. All of our police officers care and want to do the right thing. We've got to be careful about Robocop. You don't want a cop who is issuing tickets at 26+, so we've got to be careful about that.

Mayor White said you mentioned speed bumps, and Ms. Zottarelli mentioned that as well. I think she brought up a good point. I think we should have speed bumps by all the schools. What is your feeling on that? I mentioned this to the committee, and I think they're on the same page as I am. What is your opinion about having speed humps by the schools?

Chief Kugler said the speed humps work. I guess the direct question is do you want to put it by the schools? I don't know what the cost is. I know the sign boards are about \$2000 each, so if you want \$2000 signs, we can order them, but we have to pay for them. He asked Mr. Klein how much the speed bumps cost.

Mr. Klein said it depends on how many you do, so if you do one, it's going to cost a lot more than doing four.

Chief Kugler said I don't know what the cost is. Between \$600 and \$1000, depending on...

Council President Cimiluca said more.

Mr. Klein said when you do all the signage and striping and all that, it's going to cost in the range of four to six grand per speed bump.

Chief Kugler said for one?

Mr. Klein said yes.

Chief Kugler said but speed humps work. I have to say that.

Mayor White said I just think around the schools it's important that you have a lot of people are more cautious, you have signage... let people know to slow down, you're in a school zone... it can't hurt.

Ms. Zottarelli said after school hours those schools are all used for recreation.

Chief Kugler said I know that some schools, most schools, have that radar box. He said we try to educate our people. Please drive safely, please drive the speed limit, which is basically 25 miles an hour unless otherwise posted. If there's any complaints, give them directly to the police department through the Mayor's office, through the Town Council, the Administrator. We are all here to help, and we want to do the right thing for our community. Thank you very much, Mr. Council President.

Council President Cimiluca said when I was talking about zero tolerance, I didn't mean 26 miles an hour. That means once they got the ticket, they're not going to be able to call somebody and say, hey, can you help me out? No. Once you get the ticket, you've got the ticket. We know that our policemen are not robots, and no one is enforcing 26 miles an hour. There is some discretion, and there is some leeway. But the zero

tolerance that I was talking about was more in terms of after you get the ticket, don't be calling up and asking for favors.

Council President Cimiluca asked about getting the speed box and said I'm not even sure if it's there anymore, but I know at some point it was. It is there? Okay. He explained we have criteria for speed bumps, and one of the criteria is schools. We know there is a problem on Fairlawn Parkway. We know there is a problem on Wilson. We know there's a problem on certain streets that are cut through streets. Floral is a cut through and it is also near a school. We will be reviewing this.

Mayor White said through the chair I know when we looked into putting a speed bump over on President Street, I know Rick was here at the time, and I know Remington has one of those speed counters. I don't know if we would run into a problem with the County. Is there any way we can try to get that speed counter from you guys if you still have it?

Mr. Klein said he would look into it.

Ms. Nancy Murray of Pine Avenue said asked if they used reflective paint on the speed bumps and said they are difficult to see in the dark. She mentioned communities where they have arrows leading up to the speed bumps and wondered if that could be considered.

Council President Cimiluca said we do have a sign, 150 feet before it saying speed hump, there's another sign there saying speed hump, there's the speed hump with the signs. I did talk to the engineer about that exact same issue, so I'm going to leave it to Bob Klein our engineer to see. I don't think that they are required, but they may help. Personally, I think we should have them, but I'm one person.

Mr. Klein said it's is an option. It's not required.

Council President Cimiluca said I know that by Floral Lane it would interfere with the cross walks, so you can't have them. It depends on the area, but when they're doing striping, Bob, you know when I talked to you, I thought they were a good idea. Maybe when we're re-striping everything, when we're doing some paving. Are they going to be doing any striping when they're doing paving?

Mr. Klein said yes.

Council President Cimiluca said so we can maybe work on that.

Mr. Bill Gula of 260 Hillside Avenue said I didn't know you were going to get our speed bump so quick, so I was wondering did you get the change order for Hillside?

Council President Cimiluca said yes and added that will be part of the next go around which we're starting. They are starting to do before they do the milling and paving because what you have seen recently, that was 2019 and PSE&G, now it's us doing it so we're doing the roadwork in terms of the aprons and the curbing and the handicapped ramps on the corners, so once that is done then we will do the milling and paving and then as part of the paving part of it, which comes last unfortunately, we will be doing the speed bumps.

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

Motion: Councilwoman D'Arminio

Second: Councilman Gierek

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

COMMENTS

Councilwoman D'Arminio announced that due to CDC suggestions the Trunk or Treat to be held at 55 Mayhill would be cancelled. She added I don't think we're even going to have a tree lighting ceremony, but we will see if we can do that.

She then commended Police Officer Kimberly Diaz and said she was very humble and gracious with all the awards she got and certainly she did an outstanding job and in the world we live in I think all the police do a great job and especially she did an exception job, and I would like to thank her for that. She also spoke briefly about retired police officer Lenny Azzarone, his work with SBCTV, the DARE Program and Night Out and extended her condolences to his wife, his children and his grandchildren and said he will be really missed in our community.

Councilwoman Mazzer commended Officer Diaz for her extraordinary service. She said it certainly does take a village, and of course our entire police department out there every day giving their all, we certainly appreciate them. I do would like to extend my sympathy to patrolman Azzarone and his family. He certainly was an asset to the community, and our prayers are with his family.

She then wished all the Board of Ed candidates and council candidates good luck in this election and said it's an election like we've never seen before, and I commend you for actually putting your name on the ballot, putting yourself out there. Thank you each and every one of you. She concluded by noting they were wearing pink for recognition of breast cancer awareness.

Councilwoman D'Arminio said through the chair Councilwoman Mazzer do you just want to mention the garage sale this weekend? And there's four pages of addresses. It's going to be busy.

Councilwoman Mazzer said it looks like it's going to be a great weekend. It's Saturday with a rain date of Sunday. Come out and support everyone who took the time to register and make it a fun day.

Council President Cimiluca asked how the garage sale was advertised.

Mr. Lo Dico said we did put a box ad in the *Community News*, it's on the website, it's on our TV station, and the website has daily updates of the addresses in alphabetical order so if you go to the website, saddlebrooknj.us you will be able to view all the addresses. If there is an asterisk next to the address, they only wish to have the garage sale on Saturday. We have over 200, and it's our first town wide garage sale.

Council President Cimiluca said I believe it's also on the digital billboard. It's being advertised there, so anyone passing by Market Street should be aware of it.

Councilman Gierek commended Officer Diaz for her heroic actions in the line of duty and said Saddle Brook is very proud. He then spoke briefly about National Hispanic Heritage Month and said during National Hispanic Heritage Month we recognize the contributions and the important presence of the Spanish and Latin Americans in the United States. In commemoration of the 2020 National Hispanic Heritage Month the United States government celebrates the countless contributions of more than 60 million Hispanic Americans to our culture and society and the state department highlights biographies of outstanding Hispanic employees.

Council President Cimiluca thanked Councilman Gierek and said we would be remiss if we didn't mention October is also Italian American Heritage month. Columbus Day is celebrated on October 12th, unfortunately we will not be having the UNICO street festival which coincides with Columbus Day, and actually there is a ceremony I believe at 12 noon on Saturday October 10th, and that will be at Columbus Park by the American Legion memorial over there on the corner of Welcome and Market Street. So, anyone who wants to join, wear your masks, and we will be honoring Columbus and various people of Italian American descent.

He then spoke briefly about Lenny Azzarone and his contributions to the community and said we mourn his loss.

In terms of the speeding, Council President Cimiluca said I don't want to beat a dead horse but, Bob, have you gotten anywhere with Fair Lawn in terms of having them also do the same thing we did so this way it's not a raceway and then it comes to us and it narrows?

Mr. Klein said yes, they told me they were going to do it. They told me they were likely going to do it as part of their road program. When I talked to them maybe a month or a month and a half ago, they said they were going out to bid next month so I wouldn't be surprised if it didn't get done until later in the fall with the paving.

Council President Cimiluca asked him to follow up on that. He then directed Mr. Lo Dico to ask the chief to contact Fair Lawn and their police department. If we're having enhanced enforcement on Fairlawn Parkway and obviously other places, it would be great if they also had it on that same street. He noted there were 36 summonses issued from September 3rd through yesterday on Fairlawn Parkway. I think 13 or 14 were speeding. The interesting part is of those 36 summonses, 17 were Saddle Brook residents, so we talk and talk and talk, but sometimes it's our own people that do it. It's a lot of outsiders but it's our own people so we've got to talk to our friends, relatives, and children.

He said we appreciate Officer Diaz and men and women like Officer Haberman and the others in the Saddle Brook Police Department who really epitomize the 'protect and serve' model. They go out there and they do their job. They are tough when they have to be tough, and they have empathy when they need to and they just are a proud reflection on Saddle Brook. He said I just appreciate everything that you people do. There is some talk on social media again about defund the police, it's all garbage. Don't believe anything if you read it. We really appreciate the police and all our first responders, and we go out of our way to not only recognize them, but to give them all the tools they need in terms of equipment and in terms of apparatus, so thank you for all that you do.

He said after the Mayor spoke Mr. Lo Dico would address everyone one final time about the election.

Mayor White read a proclamation about declaring October Breast Cancer Awareness Month and noted October 19th is National Mammography Day. He added that Officer Diaz is definitely a contender for this year's Women in History.

Regarding COVID-19, Mayor White said he listened to Governor Murphy's daily address and everything was pretty positive. He said he feels that we are in much better shape than when the pandemic began, and he actually noted that because of better medical knowledge, face covering orders and social distancing plans, better capacity of hospitals, a backlog of ventilators and PPE, increased testing and contact tracing, that because of those reasons he would be shocked if we had to shut down again. He feels we are in pretty good shape.

Mayor White said schools are operating under a hybrid model, that's a combination of in-school classroom and remote learning, and also, I'm very happy to say that so far, we've had not reported cases of any student or staff member contracting COVID. Saddle Brook numbers that we get from the county or state are up slightly this month. Between the beginning of September and now October we went from 322 to 334, so we're up 12. It could be because of Labor Day weekend, but the number of deaths has remained the same, still at 19. As Council President Cimiluca said last month, I don't know anybody that's really very, very sick. They could be, but usually you hear when someone is suffering, they're in the hospital on a ventilator and such, you usually hear it. Fortunately, it seems like most of the cases are minor symptoms. That being said we have to be careful to exercise caution, face coverings, social distancing, and good hand hygiene. Those are all important, and it's good if we do that, we can protect ourselves from the common flu, the common cold, and hopefully we will have less sickness.

Mayor White said we decided not to have the Trunk or Treat this year. I do believe that we could have done it safely, but really because of the CDC guidelines that they came out with, really to be consistent with the school district. They're working under very heavy restrictions right now. The kids are in class, but I think it's like 8 hours a week,

split up so they're not really getting much in class, and they're under these restrictions from the State Department of Education and the CDC. I feel it's important that we send a clear message that when it comes to our kids we're going to exercise or act under an abundance of caution. Everyone that I know wants their kids to be safe and they want them to remain in school. It's very important to parents. They really don't want to go back to where they have to do all remote learning. I think it was a good decision.

The Mayor said taxes will be going out next week. The municipal tax rate is 0.81 cents per \$100 of assessed value. On the average home assessed at \$353,112 the municipal tax is \$2864, an increase of \$96.00. The total average increase is \$132 including the school district, the county and everything else. I got to hand it to the school district, they did a pretty good job of keeping their budget down. I want to thank Columbia Bank for donating \$30,000 to the Township. The town has been granted tax exempt status. We received a 5013c from the federal government. We did so because we formed a foundation to utilize funds for charitable community projects, and we hope to use that \$30,000 coupled with I believe an Open Space grant to restore Congress Street Park.

Mayor White said Mr. Lo Dico would talk about the election video he did today with the County Clerk John Hogan and others. It's going to be on the website, Facebook and the town TV also. If you want further information you can contact the Bergen County Clerk's office. That website is co.bergen.nj.us or the New Jersey website has a lot of information, nj.gov. So, if you're looking for more information, there's quite a bit there. A lot of people have questions about it, and they're concerned.

The Mayor said the paving should be done by the end of the year. The town road improvement program is five streets which they should be starting the concrete in the next week. Those five streets are Jamros, Colonial, Woodcrest, Taggart and Danna. They should all be done hopefully by the end of this month or early November before we start getting cold weather. The PSE&G gas main project, there's two streets, Steinway and Hobson, that still have to be done. I'm unsure whether or not we're going to get to them this year. If we can get to the streets we will. We may end up putting them off until next year and do it in the spring. As far as 2021 road program, we will see on that.

Mayor White said the last day of voter registration is Tuesday, October 13th. Town Hall will be open. Pete will be there until 9:00. You can also pick up leaf bags. Leaf bags will be available starting next week at Town Hall. They will be put in the vestibule of Town Hall, ten per household. It's going to be the honor system. We're not going to have people come in and sign things, so hopefully I'm pretty sure we can trust everybody to take their ten.

He noted the flagpole that was installed on Saddle River Road and Route 80, and said we also ordered a Welcome to Saddle Brook sign for that location. I received a lot of accolades about that. We have a lot of patriotic people in town, and it's really a big hit.

Mayor White asked Mr. Lo Dico about the gazebo at Tri-centennial Park.

Mr. Lo Dico said we called them. I spoke to them. We should be getting delivery Wednesday.

Mayor White said that's like a pre-fab. We could have had a contractor build it for us, but I think we're better off with the one that we ordered, so hopefully that will come through. He then spoke briefly about a communications program, a free web-based service that would consolidate Township events into one calendar and mentioned that we get a lot of complaints, mostly on Facebook, from people who miss town events. He concluded by extending his condolences to the Azzarone family and hoped everyone had enjoyed the recent holidays of Rosh Hashanah and Yom Kippur.

Mr. Lo Dico summarized the election video with Bergen County Clerk John Hogan, our Bergen County Superintendent of elections Patricia DiCostanzo and our Bergen County Deputy Super-Intendent of Elections Theresa O'Connor and said it was very informative. He emphasized that the election would be all mail-in and urged residents to fill out their ballots when they get them. He mentioned the secure county drop boxes and explained the procedure for bringing ballots to polling places on Election Day. He noted there will be no sample ballots mailed and voters would be asked to vote by

provisional ballot if they do not have their ballot with them when they arrive at a polling place. He thanked John Hogan, Patty DiCostanzo and Terry O'Connor for coming today and taking time away from their busy schedule to do this video for us and said my office is open, please feel free to call if you have any questions. 201-587-2909. Leave a message if I'm not there. We will get back to you. I'm sure everybody has a lot of questions. The ballots are to be done in black ink. They can also be done in blue ink or pencil, but the preference is black ink.

The Mayor said through the chair everybody should watch the video. He asked if someone forgets to sign their ballot if there a way to remedy that.

Mr. Lo Dico said yes, under this particular election with the law, if you forgot to sign your ballot, the county will be sending you a letter, and you have 48 hours to cure or correct the ballot. He added if you don't receive your ballot, I would say by the middle of next week, you can call the County Clerk's office, and they will assist you with that.

Council President Cimiluca said make sure that you sign it as your signature when you registered.

Mr. Lo Dico explained it might be a week or so before the provisional ballots are counted, and he assured everyone that we all strive for the integrity of the ballot to make sure it's a fair election, make sure very vote counts and every vote is counted, and that was reinforced today by John Hogan, Patty DiCostanzo and Terry O'Connor. I have worked with their staff for many years, and I can assure you in Bergen County, I'm sure that's how it will go.

ORDINANCES

1. ORDINANCE #1689-20 – FIRST READING AN ORDINANCE AMENDING CHAPTER 206-29, ARTICLE VIII ENTITLED “VISION OBSTRUCTION ON CORNER LOTS”

The Council President announced that the next order of business is the introduction of **AN ORDINANCE AMENDING CHAPTER 206-29, ARTICLE VIII ENTITLED “VISION OBSTRUCTION ON CORNER LOTS”**

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

Motion: Councilwoman Mazzer

Second: Councilman Gierek

Councilwoman D'Arminio – no

Councilman Gierek – yes

Councilman Accomando – absent

Councilwoman Mazzer – yes

Council President Cimiluca – yes

CR# 1020-170

Be it resolved by the Township Council of the Township of Saddle Brook that **AN ORDINANCE AMENDING CHAPTER 206-29, ARTICLE VIII ENTITLED “VISION OBSTRUCTION ON CORNER LOTS”**

that heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 5th day of November, 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: Councilman Gierek

Councilwoman D'Arminio – no
Councilman Gierrek – yes
Councilman Accomando – absent
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 the minutes of the September 3rd public meeting and resolution #10 {CR# 1020-180} are not part of the consent agenda.

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

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

MINUTES

1. September 3, 2020 – Regular Public Meeting

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

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

*** RESOLUTIONS**

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1020-171

WHEREAS, the Township of Saddle Brook desires to take part in the BERGEN COUNTY CARES ACT REIMBURSEMENT AGREEMENT, which provides for reimbursement of expenses of COVID-19,

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook that it hereby agrees to enter into said agreement between the Township of Saddle Brook and the Bergen County Cares Act Reimbursement Agreement and authorizes the Mayor to sign said agreement.

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1020-172

WHEREAS, AJM Contractors was awarded a contract in the amount of \$170,535.40 for Legregni Street Roadway Improvements; and

WHEREAS, Richard G. Arango, Township Engineer, during the course of the work being performed by AJM Contractors recommended Change Order #1 Final: - \$43,213.40 to match as-built conditions,

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook that it hereby approves Change Order #1 Final for AJM Contractors for a total amount of -\$43,213.40, a total contract amount of \$127,322.00 providing funds are available.

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1020-173

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

WHEREAS, Richard G. Arango, Twp. Engineer, during the course of the work being performed for 4 Clean Up, Inc. recommended Change Order #3 Final; -\$35,171.40. This change order is for the final adjustments to account for unused bid quantities, adjustments to the striping plan, fuel and asphalt price adjustments, and use of additional asphalt surface course material for leveling purposes,

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook that it hereby approves Change Order #3 for 4 Clean Up, Inc. for a total amount of -\$35,171.40, a total contract amount of \$475,460.67 providing funds are available.

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1020-174

WHEREAS, 4 Clean Up was awarded a contract in the amount of \$859,547.75 for 2020 Road Program; and

WHEREAS, Richard G. Arango, Twp. Engineer, during the course of the work being performed by 4 Clean Up recommended Change Order #3; \$9,600.00 for the installation of three additional hook-ups to the installed sump collection system. Two homeowners informed us they would be discharging a sump in the near future, so we provided a connection for them. One homeowner informed us that his sump was also connected to their roof leader pipe. As such, we had Contractor connect his roof leader discharge pipe to the collection system,

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 for a total amount of \$9,600.00, a total contract amount of \$947,206.79 providing funds are available.

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1020-175

WHEREAS, a property located in the Township of Saddle Brook, known as 591 Spruce Avenue, Saddle Brook, New Jersey, Block 1706 Lot 8 is assessed to William C. Hayes; and

WHEREAS, on August 19, 2020, William C. Hayes was declared 100% tax exempt by the Department of Veterans Affairs effective December 1, 2019; and

WHEREAS, 591 Spruce Avenue, Saddle Brook, New Jersey, Block 1706 Lot 8 will be tax exempt as of December 1, 2019,

NOW THEREFORE BE IT RESOLVED, that the tax collector is hereby authorized to cancel taxes effective December 1, 2019 and issue a refund to the property owner in the amount of \$6,082.33. The property is 100% tax exempt for 2020.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>YEAR</u>	<u>REFUND</u>
1706	8	William C. Hayes	2019	\$ 605.33
		591 Spruce Avenue	2020	\$5,477.00
		Saddle Brook, NJ 07663		

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

Roll Call:

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

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1020-178

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 **\$11,442.03** PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.

THESE BILLS ARE PAID THROUGH OFF LINE CHECKS.

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1020-179

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 **\$3,666,841.84** 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 D'Arminio

Second: Councilwoman Mazzer

Roll Call:

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

Councilwoman Mazzer recused herself and left the dais at this time.

THE FOLLOWING RESOLUTION CR# 1020-180 IS NOT PART OF THE CONSENT AGENDA.

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1020-180

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
92977	STONE BROOK GARDEN	\$40.00

Motion: Councilwoman D'Arminio Second: Councilman Gierek

Roll Call:

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

Councilwoman Mazzer returned to the dais at this time.

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1020-181

WHEREAS, 4 Clean Up was awarded a contract in the amount of \$859,547.75 for 2020 Road Program; and

WHEREAS, Richard G. Arango, Twp. Engineer, during the course of the work being performed by 4 Clean Up recommended Change Order #4; \$11,000.00 for two (2) speed humps to be constructed on Hillside Avenue; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby approves Change Order #4 for 4 Clean Up for a total amount of \$11,000.00 a total contract amount of \$958,206.79 providing funds are available.

Motion: Councilwoman D'Arminio Second: Councilwoman Mazzer

Roll Call:

Councilwoman D'Arminio - yes
Councilman Gierak - yes
Councilman Accomando - absent
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: 2020 Road Improvements Program – Hillside Ave.

ACCOUNT 04-2150-55-1673-902

FUND General Capital

AMOUNT \$958,206.79

PURCHASE ORDER NO. 96110


Timothy Conte
Chief Financial Officer

DATE _____

CHECKED BY _____

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

POLICE OFFICER KIMBERLY DIAZ

CR# 1020-182

WHEREAS, Saddle Brook Police Officer Kimberly Diaz responded to a call on September 8, 2020 on the Outwater Lane overpass; and

WHEREAS, immediately upon arriving on the scene Police Officer Diaz realized that a serious situation was unfolding involving a distraught juvenile on the overpass threatening to do bodily harm and quick action was needed; and

WHEREAS, Police Officer Diaz, from the onset, put her training and compassion to use and spoke to the juvenile, diffusing a tense situation that could have had a tragic outcome; and

WHEREAS, CH 7 WABC Eyewitness News recognized Police Officer Diaz on First Responder Friday for her actions taken on September 8,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby commends Police Officer Kimberly Diaz for her split second action averting a tragedy and proudly recognizes her work with the Saddle Brook Police Department as she epitomizes what a police officer may confront each day protecting the residents of Saddle Brook.

Motion: Councilwoman D'Arminio

Second: Councilwoman Mazzer

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

**1. Robert Klein, PE
Remington Vernick
Engineers** **Re: Legregni Street Roadway
Improvements Pay Certificate No.
2 Final**

Enclosed please find Payment Request No. 2 Final and a two (2) year Maintenance Bond No. 39BCSHY1314M from AJM Contractors for work performed on the above referenced project. Remington & Vernick Engineers has reviewed the certificate with the contractor and agree with the final payment noted.

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

2. Robert Klein, PE Re: Legregni Street Roadway
Remington Vernick Improvements Change Order No. 1
Engineers Final

Please be advised that this office is recommending approval of attached Change Order No. 1 Final. This change order is for adjustment of unit quantities to match as-built conditions.

- Original Contract \$ 170,535.40
- Change Order No. 1 Final -\$ 43,213.40
- **Amended Contract Total \$ 127,322.00**

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

**3. Robert Klein, PE Re: 2020 Road Program, Change Order
Remington Vernick No. 2
Engineers**

Please be advised that this office is recommending approval of attached Change Order No. 3. This change order is for the installation of three additional hook-ups to the installed sump collection system. Two homeowners informed us they would be discharging a sump in the near future, so we provided a connection for them. One homeowner informed us that his sump was also connected to their roof leader pipe. As such, we had Contractor connect his roof leader discharge pipe to the collection system.

The following is a breakdown of the costs:

• Original Contract	\$ 859,547.75
• Change Order No. 1	\$ 39,689.34
• Change Order No. 2	\$ 38,369.70
• Change Order No. 3	\$ 9,600.00
• Amended Contract Total	\$ 947,206.79

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

4. **Robert Klein, PE** **Re: 2020 Road Program Pay**
 Remington Vernick **Certificate No. 1**
 Engineers

To: Peter Lo Dico, Twp. Clerk Date: September 15, 2020

Enclosed please find Payment Request No. 1 from 4 Clean Up for work performed on the above referenced project. Remington & Vernick Engineers has reviewed the certificate with the contractor and agree with the payment noted.

Therefore, we recommend the following that payment be made to **4 Clean Up** in the amount of **\$47,010.31** for Certificate No. 1.

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

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

To: Peter Lo Dico, Twp. Clerk Date: September 15, 2020

Enclosed please find Payment Request No. 3 Final and two (2) year Maintenance Bond No. CT024605M 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 final payment noted.

Therefore, we recommend the following that final payment be made to **4 Clean Up Inc.** in the amount of **\$36,698.19** for Certificate No. 3 Final.

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

6. **Robert Klein, PE** **Re: 2019 Road Program Change Order**
 Remington Vernick **No. 3 Final**
 Engineers

To: Peter Lo Dico, Twp. Clerk Date: September 15, 2020

Please be advised that this office is recommending approval of attached Change Order No. 3 Final. This change order is for final adjustment of unit quantities for the project. The reason for the adjustments are to account for unused bid quantities, adjustments to the striping plan, fuel and asphalt price adjustments, and use of additional asphalt surface course material for leveling purposes

The contract breakdown is as follows:

• Original Contract	\$ 466,431.07
• Change Order No. 1	\$ 18,000.00
• Change Order No. 2	\$ 26,201.00
• <u>Change Order No. 3 Final</u>	<u>-\$ 35,171.40</u>
• Amended Contract Total	\$ 475,460.67

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

7. **Robert Klein, PE** **Re: 2020 Road Program Change Order**
 Remington Vernick **No. 4**
 Engineers

To: Peter Lo Dico, Twp. Clerk Date: September 25, 2020

Please be advised that this office is recommending approval of attached Change Order No. 4. The Township requested two (2) speed humps to be constructed on Hillside Avenue. Speed humps including striping and signage.

The following is a breakdown of the costs:

• Original Contract	\$ 859,547.75
• Change Order No. 1	\$ 39,689.34
• Change Order No. 2	\$ 38,369.70
• Change Order No. 3	\$ 9,600.00
• Change Order No. 4	\$ 11,000.00
• Amended Contract Total	\$ 958,206.79

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

*** RAFFLES & APPLICATIONS**

NONE

*** REPORTS**

1. Municipal Court Monthly Report – August 2020
2. Bergen County Sanitarian Monthly Report – July 2020
3. Bergen County Sanitarian Monthly Report – August 2020
4. Grant Writer Monthly Report – August 2020
5. Construction Code Official Report – August 2020
6. Property Maintenance Official Report – August 2020
7. DPW Monthly report – August 2020
8. Engineer Mid-August Monthly Report
9. Water Billing Monthly Report – August 2020
10. Tax Collector Monthly Report – August 2020
11. Hotel Room Tax Monthly Report – September 2020
12. Budget Monthly Status Report – August 2020

Old Business / New Business

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

Motion: Councilwoman Mazzer

Second: Councilwoman D'Arminio

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

Councilwoman D'Arminio said my no vote on this ordinance is because I think what we have in place is sufficient. We deal with the safety issue in the original ordinance. To me this addition is an aesthetic kind of thing, and we're grandfathering in bushes and trees that are already in place, which I'm kind of confused with how we're going to do that, so I just wanted to explain why I was voting no. I don't think this was safety issue, and that's why I voted no.

Councilwoman Mazzer announced she had a resolution for the month of October recognizing specifically the Saddle Brook Chapter of UNICO.

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1020-183

Introduced by Councilwoman Mazzer

WHEREAS, October is Italian Heritage and Culture Month; and

WHEREAS, we take this opportunity to recognize the many contributions made by Italian-Americans throughout the United States, New Jersey and in particular here in Saddle Brook; and

WHEREAS, we recognize the commitment of the Saddle Brook Chapter of UNICO National to our community by supporting programs including Saddle Brook's Street Fair, local food banks, awarding scholarships, supporting causes such as Jimmy V., Cooley's Anemia, St. Jude, mental health programs and anti-bias programs, and installing benches in UNICO Park; and

WHEREAS, members of the Saddle Brook Chapter of UNICO have gone on to serve as UNICO District Governor and UNICO National President, as well as receiving numerous honors and recognition,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Council of the Township of Saddle Brook that the Saddle Brook Chapter of UNICO is commended for faithfully following the UNICO motto "Service Above Self" and recognized for its service to our community as we celebrate Italian Heritage and Culture Month.

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

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

Council President Cimiluca said this is the last meeting before the election. Pete has laid out the ground rules. It is a different animal than we're used to. You're going to be getting your mail-in ballots. It's not a sample. It's the real thing. Don't toss it out. Tell your kids it's not garbage mail. It's not junk mail. It comes in this big envelope, and some people think it's the Value Pak or something like, that so just make sure. A lot of people have died to give you your right to vote, don't blow it. We've got a lot of good candidates out there from the federal on down to us, local council candidates and the Board of Ed candidates, so good luck everyone. It's not easy being up here, and I've always said it's great to win, and it's a difficult thing to lose, so either way we've got to give a shout out to those who have put in the time, effort and a lot of their own guts to go out there. It's not an easy thing to put your name on a ballot and go out and – well we can't knock on doors this time – to go out there and speak to people as you see them through masks and socially distance of course at the ACME and at the CVS and wherever you see them and ask for your support and tell them what you stand for. It's very important. So good luck to all the candidates out there from the big guys on top to use down on the bottom, and we will see you on November 5th after the election. I don't know if we will be able to tell you if three of us are re-elected. I don't know if I'll be able to tell you if Ms. Zottarelli or the other people running for Board of Ed have won and we don't know if we're going to tell you about the people on top. It's a crazy time – but we will talk with you. Come out, make sure you get your vote in, and have a great month.

Council President Cimiluca asked for a motion to adjourn.

Motion: Councilwoman D'Arminio Second: Councilwoman Mazzer

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

Meeting adjourned at 8:37 PM.

Respectfully submitted,

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

Andrew M. Cimiluca,
Council President

Approved: November 5, 2020