

**The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on June 3, 2021 at 7:00 PM at the Municipal Building, 93 Market Street, Saddle Brook, NJ.**

Council President D'Arminio called the meeting to order.

The Township Clerk called the roll:

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

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

Council President D'Arminio asked everyone to please rise for the salute to the flag and to remain standing for a moment of silence in memory of our service men and women who gave the ultimate sacrifice in defense of our country and also in memory of John F. Tuohy father of ex-fire chief John J. Tuohy and retired school crossing guard Samuel Birnie.

Council President D'Arminio 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 D'Arminio asked for a motion to open the meeting to the public for the public hearing on the 2021 Municipal Budget and other matters.

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll call:

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

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

Motion: Councilman Accomando                      Second: Councilman Gierak

Roll call:

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

Mr. Wielkotz said the budget has been reviewed by the state and the state has approved the budget as introduced. We are anxiously awaiting federal money. I believe every municipality got a notice today that they will be receiving 50% of their federal award within the next 30 days, which is a requirement of federal law. We're still waiting for the state to issue a local finance notice, which will direct local governments how they can utilize the money going forward. The hope is that because we had significant revenue reductions under the pandemic that we will be able to utilize the allocation as additional revenue in this budget. The hope is that, in the next couple weeks, if we get the guidance from the state, we will amend the budget and reduce the tax levy by some sort of amount of money. The tax impact, while we're still not comfortable with it, we're feeling better about it.

Council President D'Arminio asked what the increase was.

Mr. Wielkotz said right now the increase is \$198.

Council President D'Arminio said average household.

Mr. Wielkotz said and \$46 of that is due to the reassessment program... Even if the tax levy were the same as last year there would be a \$46 municipal tax increase because of that, and you're not the only municipality that's having that issue in 2021... The boon of suburban real estate is almost like folklore now, the issues with commercial real estate are well documented. It's probably not going to get better before it gets worse in terms of expiring leases and business realizing that they don't need as much space as they have presently... So again the hope is to get this down to an amount that everybody is a little bit more comfortable with. That's the hope, and that's why we're going to wait and do what's right in terms of what's best for the taxpayers.

Council President D'Arminio said and included in that is the municipal complex, this is year one, right?

Mr. Wielkotz said year one, the interest is in the budget. That's right. The debt service went up \$519,000, of which we're utilizing \$450,000 of additional surplus to offset that increase... Which is exactly what we've been telling the public, and in the journey of purchasing that property that we would be able to absorb the additional debt service by virtue of a drop off of older debt service using additional surplus that we have accumulated over the last few years for that purpose. The issue of the tax increase has nothing to do with the new municipal complex. Mr. Wielkotz concluded by listing other items involved in the tax increase.

Mr. Wielkotz noted there was over \$600,000 in increased cost, however, among departments, all the other expenses are \$23,000 less.

Councilman Cimiluca said in terms of revenue, we took a hit with the court and the hotel tax.

Mr. Wielkotz said you took a hit in the court. You took a hit in hotel tax. The beginning of the pandemic the rates went down. You took a hit in construction fees, so again we're doing the best we can with what we have... The good news is, I'm pretty confident, based on everything I've seen, that this new federal money will be used for revenue losses...

The Mayor asked do you know how much that we decreased the tax levy with this Federal American Rescue Plan, how much it was offset?

Mr. Wielkotz asked this year?

Mr. Lo Dico said the total is approximately \$1.3 million.

Mr. Wielkocz discussed the special emergency and said the state has been very slow coming out with their criteria and regulations... they only released their first set a month ago. There's some more adjustments we can make. We might be able to squeeze out a little more surplus. I didn't want to do anything until we have the whole picture, and we can decide collectively where we want to be.

Mayor White thanked Mr. Wielkocz.

Councilman Cimiluca said I'm just looking at the outstanding debt, and I'm trying to get a grasp – the amount of the debt that we have currently, in light of the size of our community and the size of our budget, is that in line with other municipalities of our size? Is it less, more?

Mr. Wielkocz said you can't really look at it in that context because not every community is spending \$28 million to build a brand new municipal complex. He noted it was not the amount of debt we had but how we managed it in terms of the other debt and debt service. He noted the impact of that project was really negligible.

Council President D'Arminio said I think you've answered all of our questions this evening, and I would like to ask that when we find out what the state is doing, that you'll come back in person live.

Mr. Wielkocz said I would hope the next time I see you I will actually be there.

Council President D'Arminio said we will see you at a future meeting for sure.

## **COMMENTS**

Mayor White gave a COVID update and said I'm very relieved, as I think all of us are, that it seems like we are putting this pandemic behind us or at least making great strides. I'm happy our meetings are back here at Town Hall, although tonight we're having some technical difficulties.

He presented the current local numbers and said the statewide average is 272 new cases a day. That's down 82% from last month. He noted 4.2 million individuals are fully vaccinated, representing 56% of all NJ residents. As cases began to rapidly decline, Governor Murphy lifted statewide mask mandates, and now it's no longer necessary to stay six feet apart outdoors. He also said occupancy limits have been lifted and he listed places where masks will continue to be required indoors.

The Mayor said he's looking forward to finding how much financial aid we are going to get from the American Rescue Plan, and hopefully we will be able to use that to reduce the tax levy.

He announced it looks like we would be receiving \$156,000 in a Bergen Community Development Block Grant for handicapped accessible requirements in the new municipal complex. He added we received a Clean Communities grant of \$25,286.11 thanks to our coordinator Mr. Lo Dico and said many streets would be paved from now to the end of the year through our road improvement program. He said in Phase II of the 2020 Road Program Finnegan Avenue, McKenzie, Weller and West Street would be completed, and the 2021 Road Program would include Wilson, South Broadway, Hobson, Steinway, Burgess and George Street. Also the bid for Albany Street, which is partially funded by the 2020 Bergen County Community Development Block Grant, would be awarded this evening.

Regarding ordinances, the Mayor noted there was a capital improvement ordinance for \$60,000 for Mayhill Street Park, so we can proceed with the new playground. We have a second reading for no overnight street parking for commercial vehicles, a second reading for amending our zoning ordinance as it relates to affordable housing in a residential district, a second reading on amending Chapter 48 entitled affordable housing, an ordinance to establish a cap bank, and an ordinance amending the town code and adding a chapter on communication facilities right of way permits.

Regarding the Memorial Day Parade, Mayor White said I'm happy the VFW board did not cancel it. It received a lot of positive publicity: News 12 did a feature story, and the *Record* did a news article. He thanked everyone involved and announced there would be a flag retirement ceremony conducted by the Boy Scouts on June 9<sup>th</sup> at 7:30 PM at the VFW for cotton flags only. He said the Annual Fishing Contest would be held on Saturday, June 19<sup>th</sup> at the Otto Pehle section of the county park. The next Caucus meeting would be held on June 29<sup>th</sup> and the next regular meeting on July 1<sup>st</sup>. The Annual Town Picnic would be held on August 28<sup>th</sup>, and we want to have a town-wide garage sale sometime in the fall so we are going to plan for that. He concluded by wishing everyone a happy Father's Day and a Happy Fourth of July.

Councilman Accomando said he was proud to see all those people come out in the rain for the Memorial Day Parade. He wished everyone happy Father's Day and congratulated the graduates.

Councilman Gierak commended Lou Verile on the parade and said everyone did a great job. He thanked the fire chief and the fire department and ambulance corps Captain Harry Reid for the services they held.

Councilman Cimiluca spoke about the parade. He said we had five memorial services that day. It's a sad reality that there were no members of the Korean War members there. He commended all the fire houses that were open to people to come in and thanked them for their hospitality. He said the VFW with the Boy Scouts would have the flag ceremony, and from 6:30 to 8:30 there is a fund raiser for Saddle Brook first responders at Midland Brew House next Wednesday.

Councilwoman Mazzer thanked all the department heads, Mr. Lo Dico and the Mayor for presenting such a fiscally responsible budget. She thanked the VFW and everyone who came out for the parade. She congratulated all the graduates and thanked everyone for the good wishes on her surgery. She noted tomorrow is resident Nancy Gara's 90<sup>th</sup> birthday and thanked Ms. Gara for being her mentor in the past.

Council President D'Arminio echoed Councilwoman Mazzer's sentiments about Ms. Gara. She said Tuesday was the start of demolition at the new municipal building. Line dancing is going to start in July on Mondays for the seniors at 10:30. Bingo is back, and the senior bus is running. She congratulated all the graduates and wished everyone happy Father's Day.

Councilman Accomando mentioned walk to end epilepsy on June 5<sup>th</sup>.

Mr. Lo Dico said through the chair that June 8<sup>th</sup> is the Primary Election and explained the procedure for voting.

## **ORDINANCES**

- 1. ORDINANCE #1700-21 – FINAL READING  
CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$60,000 FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO MAYHILL STREET PARK IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A COUNTY GRANT AND FROM A PRIVATE CONTRIBUTION.**

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

Roll call:

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

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

**CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$60,000 FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO MAYHILL STREET PARK IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A COUNTY GRANT AND FROM A PRIVATE CONTRIBUTION.**

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

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll call:

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

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

Motion: Councilman Cimiluca                      Second: Councilman Accomando

Roll call:

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

**CR# 621-102**

**BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that the ordinance entitled: **CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$60,000 FOR THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO MAYHILL STREET PARK IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A COUNTY GRANT AND FROM A PRIVATE CONTRIBUTION.**

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

Motion: Councilman Cimiluca                      Second: Councilman Accomando

Roll call:

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

**2. ORDINANCE #1701-21 – FINAL READING  
AN ORDINANCE AMENDING CHAPTER 206-9.43.1, F  
AFFORDABLE HOUSING RESIDENTIAL DISTRICT**

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

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll call:

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

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

**AN ORDINANCE AMENDING CHAPTER 206-9.43.1, F  
AFFORDABLE HOUSING RESIDENTIAL DISTRICT**

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

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll call:

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

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

Motion: Councilwoman Mazzer                      Second: Councilman Gierak

Roll call:

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

**CR# 621-110**

**BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE AMENDING CHAPTER 206-9.43.1, F AFFORDABLE HOUSING RESIDENTIAL DISTRICT**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

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

**3. ORDINANCE #1702-21 – FINAL READING  
AN ORDINANCE AMENDING CHAPTER 206, ARTICLE VE, K OF  
THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK  
ENTITLED, “ZONING, AFFORDABLE HOUSING DISTRICTS”**

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

Motion: Councilwoman Mazzer

Second: Councilman Gierak

Roll call:

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

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

**AN ORDINANCE AMENDING CHAPTER 206, ARTICLE VE, K OF  
THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK  
ENTITLED, “ZONING, AFFORDABLE HOUSING DISTRICTS”**

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

Motion: Councilman Accomando

Second: Councilman Gierak

Roll call:

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

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

Motion: Councilwoman Mazzer

Second: Councilman Gierak

Roll call:

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

**CR# 621-104**

**BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE AMENDING CHAPTER 206, ARTICLE VE, K OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED, “ZONING, AFFORDABLE HOUSING DISTRICTS”** does now pass on second and final reading and that the Township Clerk be directed to advertise said ordinance or Title thereof, in the press, together with a notice of the date of passage of said ordinance according to law.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

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

**4. ORDINANCE #1703-21 – FINAL READING  
AN ORDINANCE AMENDING CHAPTER 48 OF THE TOWNSHIP  
CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED,  
“AFFORDABLE HOUSING”**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

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

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

**AN ORDINANCE AMENDING CHAPTER 48 OF THE TOWNSHIP  
CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED,  
“AFFORDABLE HOUSING”**

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

Motion: Councilwoman Mazzer

Second: Councilman Gierak

Roll call:

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

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



Motion: Councilwoman Mazzer

Second: Councilman Gierek

Roll call:

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

**CR# 621-105**

**BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE AMENDING CHAPTER 48 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED, "AFFORDABLE HOUSING"**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

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

**5. ORDINANCE #1704-21 – FINAL READING  
CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE  
MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

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

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

**CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE  
MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

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

Motion: Councilman Accomando

Second: Councilman Gierek

Roll call:

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

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

Motion: Councilman Accomando                      Second: Councilman Gierak

Roll call:

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

**CR# 621-106**

**BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that the ordinance entitled: **CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

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

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll call:

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

**6. ORDINANCE #1705-21 – FINAL READING  
ORDINANCE AMENDING CHAPTER 196, ARTICLE II ENTITLED  
“PARKING”**

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

Motion: Councilman Accomando                      Second: Councilman Gierak

Roll call:

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

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

**ORDINANCE AMENDING CHAPTER 196, ARTICLE II ENTITLED  
“PARKING”**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

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

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

Motion: Councilman Cimiluca

Second: Councilman Gierek

Roll call:

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

**CR# 621-107**

**BE IT RESOLVED** by the Township Council of the Township of Saddle Brook that the ordinance entitled: **ORDINANCE AMENDING CHAPTER 196, ARTICLE II ENTITLED “PARKING”**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - no  
Councilman Gierek – yes  
Councilman Accomando – yes  
Councilwoman Mazzer - yes  
Council President D’Arminio – yes

**6. ORDINANCE #1706-21 – FIRST READING  
AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF  
SADDLE BROOK WITH THE ADDITION OF A CHAPTER 207  
ENTITLED “COMMUNICATION FACILITIES RIGHT-OF-WAY  
PERMITS” TO PROVIDE FOR THE REGULATION OF SMALL  
CELL WIRELESS FACILITIES WITHIN THE MUNICIPAL RIGHTS-  
OF-WAY**

The Council President announced that the next order of business is the introduction of **AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF**

**SADDLE BROOK WITH THE ADDITION OF A CHAPTER 207 ENTITLED  
“COMMUNICATION FACILITIES RIGHT-OF-WAY PERMITS” TO  
PROVIDE FOR THE REGULATION OF SMALL CELL WIRELESS  
FACILITIES WITHIN THE MUNICIPAL RIGHTS-OF-WAY**

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

Motion: Councilman Accomando                      Second: Councilman Gierek

Roll call:

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

**CR# 621-108**

**Be it resolved** by the Township Council of the Township of Saddle Brook that **AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF SADDLE BROOK WITH THE ADDITION OF A CHAPTER 207 ENTITLED “COMMUNICATION FACILITIES RIGHT-OF-WAY PERMITS” TO PROVIDE FOR THE REGULATION OF SMALL CELL WIRELESS FACILITIES WITHIN THE MUNICIPAL RIGHTS-OF-WAY**

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 1<sup>st</sup> day of July, 2021 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 Accomando

Roll call:

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

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

Mr. Lo Dico noted the minutes of the May 6<sup>th</sup> meeting, resolution #10 {CR# 621-118} and resolution # 13 {CR# 621-121} would not be part of the consent agenda.

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll call:

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

**THE FOLLOWING MINUTES OF THE MAY 6, 2021 MEETING ARE NOT PART OF THE CONSENT AGENDA**

**MINUTES**

1. May 6, 2021 – Regular Public Meeting

Motion: Councilwoman Mazzer                      Second: Councilman Gierak

Roll call:

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

**\* RESOLUTIONS**

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**RESOLUTION AUTHORIZING SUBMISSION OF A GRANT PROPOSAL TO THE  
NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS' FY21 LOCAL  
RECREATIONAL IMPROVEMENT GRANT PROGRAM**

**CR# 621-109**

**WHEREAS**, the Mayor and Council of the Township of Saddle Brook desire to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$113,850.00 to carry out a project to install a Spray Park Playground at 55 Mayhill Street;

**THEREFORE, BE IT RESOLVED,**

- 1) That the Mayor and Council of the Township of Saddle Brook does hereby authorize the application for such a grant; and
- 2) Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Saddle Brook and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-110**

**WHEREAS**, the recycling contract for the Township of Saddle Brook is due to expire on July 31, 2021; and

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

**BE IT FURTHER 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 to review with the Recycling Coordinator before bids are advertised, and Township Clerk is hereby authorized to advertise for the receipt of bids.

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-111**

**WHEREAS**, a property located in the Township of Saddle Brook, known as 18 Alberta Drive, Saddle Brook, New Jersey, Block 1515, Lot 6 is assessed to Andrew & Patricia McCauley; and

**WHEREAS**, the mortgage company issued a payment in error for the second quarter of 2021; and

**BE IT FURTHER RESOLVED**, that the mortgage company be refunded \$2,438.00 for the May, 2021 quarter tax payment.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>YEAR</u>	<u>REFUND</u>
1515	6	WELLS FARGO	2021	\$2,438.00
		REAL ESTATE TAX SERVICES PO BOX 14506 DES MOINES, IA 50306 ATTN: REFUNDS/FINANCIAL SUPPORT		

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes  
Councilwoman Mazzer - yes  
Councilman Gierak - yes  
Councilman Accomando - yes

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE  
PURSUANT TO N.J.S.A. 54:5-52.1**

**CR# 621-112**

**WHEREAS**, Linda Pellicier, the Tax Collector of the Township of Saddle Brook, had previously issued a tax sale certificate to CHRISTIANA T C/F CE1/FIRSTRUST. Certificate number 2020-20-002 is dated November 10, 2020 covering premises referred to as Block 524, Lot 24, 301 South Boulevard, Saddle Brook, NJ 07663 assessed to Francis and Christine Stewart; and

**WHEREAS**, the purchaser of the aforesaid tax sale certificate has indicated to the tax collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached and has paid the fee of \$100.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Governing Body of the Township of Saddle Brook, that the Tax Collector of the Township of Saddle Brook be hereby authorized to issue an appropriate duplicate tax sale certificate to CHRISTIANA T C/F CE1 FIRSTRUST covering the certificate lost as previously described all in accordance with the requirement of Chapter 99 of Public Laws of 1997; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to CHRISTIANA T C/F CE1 FIRSTRUST and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the work 'Duplicate' as required by law.

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-113**

**WHEREAS**, a property located in the Township of Saddle Brook, known as 284 4<sup>th</sup> Street, Saddle Brook, New Jersey, Block 106, Lot 13 is assessed to Edward H. & Barbara Sutter; and

**WHEREAS**, on April 20, 2020, Edward Sutter was declared 100% tax exempt by the Department of Veterans Affairs; and

**WHEREAS**, Block 106, Lot 13, 284 4<sup>th</sup> Street owned by Edward H. Sutter is declared 100% tax exempt as of September 20, 2018,

**NOW THEREFORE BE IT RESOLVED** that the Tax Collector is hereby authorized to cancel taxes effective September 20, 2018 and issue a refund to the homeowner in the amount of \$489.76 for the Homestead Rebate on the fourth quarter of 2018 and the second quarter of 2021.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>YEAR</u>	<u>REFUND</u>
106	13	MR. EDWARD SUTTER 6/3/21	2018	\$163.25

284 FOURTH ST                      2021                      \$326.51  
SADDLE BROOK, NJ 07663

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-114**

**WHEREAS**, a property located in the Township of Saddle Brook, known as 284 4<sup>th</sup> Street, Saddle Brook, New Jersey, Block 106, Lot 13 is assessed to Edward H. & Barbara Sutter; and

**WHEREAS**, on April 20, 2020, Edward Sutter was declared 100% tax exempt by the Department of Veterans Affairs; and

**WHEREAS**, Block 106, Lot 13, 284 4<sup>th</sup> Street owned by Edward H. Sutter is declared 100% tax exempt as of September 20, 2018,

**NOW THEREFORE BE IT RESOLVED** that the Tax Collector is hereby authorized to cancel taxes effective September 20, 2018 and issue a refund to the mortgage company in the amount of \$3,378.00 for the first and second quarters of 2020.

<b><u>BLOCK</u></b>	<b><u>LOT</u></b>	<b><u>NAME &amp; ADDRESS</u></b>	<b><u>YEAR</u></b>	<b><u>REFUND</u></b>
106	13	LARETA, LLC 901 CORPORATE CENTER DRIVE POMONA, CA 91768 ATTN: CENTRAL REFUNDS	2020	\$3,378.00

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-115**

**WHEREAS**, a property located in the Township of Saddle Brook, known as 284 4<sup>th</sup> Street, Saddle Brook, New Jersey, Block 106, Lot 13 is assessed to Edward H. & Barbara Sutter; and



**WHEREAS**, on April 20, 2020, Edward Sutter was declared 100% tax exempt by the Department of Veterans Affairs; and

**WHEREAS**, Block 106, Lot 13, 284 4<sup>th</sup> Street owned by Edward H. Sutter is declared 100% tax exempt as of September 20, 2018,

**NOW THEREFORE BE IT RESOLVED** that the Tax Collector is hereby authorized to cancel taxes effective September 20, 2018 and issue a refund to the mortgage company in the amount of \$15,055.76 for partial third and fourth quarters of 2018, all of 2019, third and fourth of 2020 and the first quarter and second quarter of 2021.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>YEAR</u>	<u>REFUND</u>
106	13	CORELOGIC	2018	\$1,677.95
		PO BOX 9202	2019	\$6,754.77
		COPPELL, TX 75019-9208	2020	\$3,507.55
		ATTN:	2021	\$3,115.49
CENTRALIZED REFUNDS				

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-116**

**BE IT RESOLVED** by the Township Council of the Township of Saddle Brook County of Bergen, State of New Jersey that the following licenses be renewed for the year 2021-2022 and the Division of Alcoholic Beverage Control be so notified.

**PLENARY RETAIL CONSUMPTION LICENSES**

<u>STATE LICENSE NO.</u> <u>AMOUNT</u>	<u>NAME</u>
0257-33-004-011 \$1400.00	Vidhi Vidhan, LLC T/A Discount Liquors 606 Midland Avenue Saddle Brook, NJ 07663
0257-33-007-007 \$1400.00	Attiki, Inc. T/A New Saddle Brook Diner 30 Market Street Saddle Brook, NJ 07663
0257-33-011-005 \$1400.00	Matsuya, Inc. 490 Market Street Saddle Brook, NJ 07663
0257-33-012-007 \$1400.00	CP Saddle Brook T/A Saddle Brook Marriott GSP & I-80 Saddle Brook, NJ 07663
0257-33-016-010 \$1400.00	MJC Enterprise Holding, LLC T/A Midland Brew House 374 Midland Avenue Saddle Brook, NJ 07663
0257-33-017-005	Wilczynski Family, LLC

\$1400.00	c/o Dottie Wojno 49 Market Street Saddle Brook, NJ 07663
0257-33-005-012 \$1400.00	Saddle Brook Holdings, LLC Plank Pizza 383 Market Street, Bldg. D Saddle Brook, NJ 07663
0257-33-013-007 \$1400.00	Shree Radhey, LLC Krauszer's Liquors & Bar 215 Midland Avenue Saddle Brook, NJ 07663
0257-33-001-008 \$1400.00	Excelsior Catering, LLC T/A The Excelsior 190 Route 46 East Saddle Brook, NJ 07663
0257-33-003-010 \$1400.00	405 North Midland Avenue, LLC 1122 Clifton Avenue Clifton, NJ 07013
0257-33-006-009 \$1400.00	Trajanoski, Inc. T/A The Golden Pub 335 Market Street Saddle Brook, NJ 07663
0257-33-015-012 \$1400.00	Que Pasta, LLC 326 Market Street Saddle Brook, NJ 07663

**PLENARY RETAIL DISTRIBUTION**

0257-44-014-010 \$900.00	Shree Labh, Inc. DBA Wine County 195 Market Street Saddle Brook, NJ 07663
0257-44-008-010 \$900.00	All American Beverage Wine & Liquor, Inc. D/B/A USA Wine Traders Club 66 Market Street Saddle Brook, NJ 07663

**CLUB LICENSE**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-117**

**WHEREAS**, an application has been filed for an Extension of License to Receiver of Plenary Retail Consumption License #0257-33-012-007, issued to CP Saddle Brook, LLC, T/A Saddle Brook Marriott, 138 Pehle Avenue, Saddle Brook, NJ 07663; and

**WHEREAS**, the submitted application form is complete in all respects, and the license has been properly renewed for the current license term;

**NOW, THEREFORE BE IT RESOLVED**, that the Township Council of the Township of Saddle Brook does hereby approve the Extension of License to Receiver of the aforesaid Plenary Retail Consumption Liquor License #0257-33-012-007 to ARL Saddle Brook Management, LLC, Receiver for CP Saddle Brook, LLC at 138 Pehle Avenue, Saddle Brook, NJ 07663 (Mailing address: 30 Rows Wharf, Suite 5300, Boston, MA 02110); #0257-33-012-008.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

Councilwoman Mazzer recused herself for the reading of CR# 621-118 and CR# 621-121.

**THE FOLLOWING RESOLUTION CR# 621-118 IS NOT PART OF THE CONSENT AGENDA**

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-118**

**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>
ORD	ELITE IRRIGATION	SPRINKLER - TRI- CENT PARK	\$4,200.00
WATER	VALVE TECH	EXERCISE WATER VALVES	\$8,212.00
WATER	RIO SUPPLY	28 REGISTERS	\$4,371.00
POLICE	NORTHEAST COMM	EMER LIGHTS (3)	\$18,292.80
POLICE	NORTHEAST COMM	RADIO POLICE CAR	\$4,178.25
BOND ORD 1664	HP, INC.	POLICE COMP SERVER 19 COMPUTERS	\$28,464.57
DPW	UNITED RENTALS	PORT AC UNITS	\$14,665.75

Motion: Councilman Accomando

Second: Councilman Gierak

Roll Call:

Councilman Cimiluca - yes  
Councilwoman Mazzer - absent  
Councilman Gierak - yes  
Councilman Accomando - yes

Council President D'Arminio - yes

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-119**

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 **\$36,366.83** PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.

**THESE ARE THE BILLS PAID THROUGH OFF LINE CHECKS.**

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Gierak - yes

Councilman Accomando - yes

Council President D'Arminio - yes

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-120**

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 **\$3,887,010.88** 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 Accomando

Roll Call:

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Gierak - yes

Councilman Accomando - yes

Council President D'Arminio - yes

Councilwoman Mazzer recused herself for the reading of CR# 621-118 and CR# 621-121.

**THE FOLLOWING RESOLUTION CR# 621-121 IS NOT PART OF THE CONSENT AGENDA**

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-121**

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.

<b>P.O.#</b>	<b>VENDOR</b>	<b>AMOUNT</b>
<b>95862, 95914, 95944 96039, 96051</b>	<b>STONE BROOK GARDEN</b>	<b>\$2,876.00</b>

Motion: Councilman Accomando                      Second: Councilman Gierak

Roll Call:

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

Councilwoman Mazzer returned to the dais.

**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# 621-122**

**WHEREAS**, the Township of Saddle Brook will have a public hearing regarding its scheduled budget adoption on June 3, 2021 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 Township's 2021 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 3<sup>rd</sup> day of June 2021, 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 2021 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 2021 is hereby set at \$62,620,262.00.
3. In accordance with the law, the third installment of 2021 taxes shall not be subject to interest until the later of August 10<sup>th</sup> 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 Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-123**

**WHEREAS**, Saddle Brook Urban Renewal Associates, LLC and its assigns (hereinafter referred to as the "Sponsor") proposes to construct and operate a 58-unit affordable rental housing project, together with such other improvements as may be necessary in connection therewith, such as leasing offices, community meeting space landscaping, curbing, and paving (hereinafter referred to as the "Project"), all pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et. seq. (if applicable), and all applicable guidelines (the foregoing hereinafter referred to as the "HMFA Requirements") within the Township of Saddle Brook (hereinafter referred to as the "Municipality") on a site described as Block 1401, lot 18 as shown on the Official Assessment Map of the Township of Saddle Brook, Bergen County, New Jersey; and

**WHEREAS**, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

**WHEREAS**, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook (the "Council") that:

1. The Council finds and determines that the proposed Project will meet or meets an existing housing need; and
2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with, the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project.

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-124**

**WHEREAS**, the Township of Saddle Brook advertised for bids for the Albany Street Road Improvement; and

**WHEREAS**, 8 bids were received and opened on May 27, 2021;

**WHEREAS**, the Township Engineer in correspondence dated May 28, 2021 recommended awarding the contract to the lowest bidder and Township Attorney has reviewed the bids received and concurs; and

**WHEREAS**, the low bidder is Frank Macchione Construction, Inc. 141 Rochelle Avenue, Rochelle Park, NJ with a base bid of \$151,272.85; 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 to Frank Macchione, Inc. for the Albany Street Road Program with a bid of \$151,272.85 providing funds are available.

Motion: Councilwoman Mazzer                      Second: Councilman Accomando

Roll Call:

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

# 13-2021

**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.

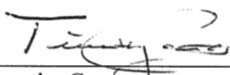
PURPOSE: Albany Street Road Improvements

ACCOUNT 04-2150-55-1697-902

FUND General Capital

AMOUNT \$151,272.85

PURCHASE ORDER NO. 99850

  
\_\_\_\_\_  
Timothy Conte  
Chief Financial Officer

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-125**

**WHEREAS**, as part of the process for qualifying for FEMA's Community Rating System a new floodplain management ordinance needs to be adopted by the Township; and

**WHEREAS**, Mianecki Consulting, 9 Midvale Avenue, Towaco, NJ has submitted a proposal to draft the ordinance in accordance with FEMA and the NJDEP,

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook that it hereby enters into an agreement with Mianecki Consulting as per the proposal submitted on May 20, 2021 not to exceed \$5,400 providing funds are available.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-126**

**WHEREAS**, pursuant to the provisions of NJSA 40A:68-1 et seq., the “Uniform Shared Services and Consolidation Act” local units may share services; and

**WHEREAS**, Municipalities throughout the State of New Jersey have been encouraged to enter into such shared services agreements in order to consolidate and preserve economic resources; and

**WHEREAS**, the Township of Saddle Brook and Bergen County have entered into a shared services agreement; and

**WHEREAS**, Bergen County has offered a shared service agreement with the Township of Saddle Brook for purchasing fuel; and

**WHEREAS**, it is the intent of this resolution to authorize an agreement for the sharing of such services starting upon signing of contract for one year to be extended annually unless terminated or modified by the parties.

**NOW THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Saddle Brook, County of Bergen, State of New Jersey as follows:

1. A Shared Services Agreement Addendum with Bergen County for purchasing fuel be and is hereby authorized.
2. This agreement shall be in the form annexed hereto or in such other form as approved by the Township Council after consultation with the Township Attorney.
3. The agreement shall be in compliance with and this resolution shall be in furtherance of the provisions of the Uniform Shared Services and Consolidation Act, NJSA 40A:65-1, et seq.
4. This contract shall be for a period commencing upon the execution of the contract and shall be subject to a review, revision, modification or renewal at the end of each calendar year.

**BE IT FURTHER RESOLVED**, that the Mayor and Township Clerk are hereby authorized to sign said agreement; and

**BE IT FURTHER RESOLVED**, that the Township Clerk be and is hereby authorized and directed to forward certified copies of the within resolution to Bergen County for their execution of agreement.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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



**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-127**

**WHEREAS**, the Township Council of the Township of Saddle Brook previously appointed Ingerman Development Company, LLC, as an all affordable housing developer and previously entered into an affordable housing agreement; and

**WHEREAS**, an amended affordable housing agreement has been negotiated between all parties, which is in the best interests of the Township of Saddle Brook, and Ingerman Development Company, LLC;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Saddle Brook as follows:

1. The Mayor and any and all other Township officials be and hereby are permitted to execute the attached amended affordable housing agreement which is in the best interests of the Township of Saddle Brook.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

Councilwoman Mazzer - yes

Councilman Gierak - yes

Councilman Accomando - yes

Council President D'Arminio - yes

**TOWNSHIP OF SADDLE BROOK  
RESOLUTION**

**CR# 621-128**

**WHEREAS**, CAG, LLC, the owner of Lot 2, Block 102, had previously applied for zoning board approval with regard to a project at the aforesated address; and

**WHEREAS**, CAG, LLC has indicated that it does not wish to move forward with the said approvals for said project and that no work has been performed with regard to the said project; and

**WHEREAS**, CAG, LLC has monies deposited in escrow with the building department and has a bond with regard to the said project that needs to be renewed by June 30, 2021; and

**WHEREAS**, CAG, LLC has previously approved the Township Engineer to use said escrow monies to verify that no work was performed for the said project;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Saddle Brook as follows:

1. The Township Engineer is to provide documentation as to the fact that no work was performed on the site owned by CAG, LLC, in accordance with the above property and zoning board approvals;
2. After review of said matter and payment is made from escrow, the remaining escrow monies are to be refunded to CAG, LLC from the Township of Saddle Brook; and
3. CAG, LLC be and hereby is to be refunded the bond with regard to this matter and is not required to renew said bond should the Township Engineer indicate that the same is permissible.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

**\* CORRESPONDENCE**

1. **Stephen F. Pellino**                      **Re:     Proposed Ordinance 1701-21**  
    **Basile Birchwale and**                      **Proposed Ordinance 1702-21**  
    **Pellino, LLP**

**To:   Mayor and Council**                      **Date:   May 21, 2021**

To the Honorable Mayor and Council of the Township of Saddle Brook:

I write to you in my capacity as the Attorney to the Saddle Brook Planning Board. You have referred to the Planning Board for review and comment the above-listed proposed Ordinances of the Township of Saddle Brook. Pursuant to the provisions of *N.J.S.A. 40:55D-26(a)*, these Ordinances were considered at the Planning Board's regular meeting of May 17, 2021 held at the Saddle Brook Senior Center, 8 Caldwell Avenue, Saddle Brook, New Jersey. The Planning Board has directed me to write this letter report to the Mayor and Council.

The Planning Board finds that the Ordinances are not inconsistent with the master plan. In addition, the Planning Board does not recommend any changes and would recommend the adoption of the Ordinances in their present form.

Should you have any questions, please do not hesitate to contact me. Thank you.

2. **Det. Lt. Thomas Johnson,**                      **Re:     Ice Cream Vendor Application -**  
    **SBPD**    **Zam Zam**

**To:   Lt. David Agar, SBPD**                      **Date:   May 6, 2021**

**Zam Zam**

**Nareman Alsaleh  
121 Tamarack Road  
Wayne NJ 07470**

In accordance with The Code of the Township of Saddle Brook Chapter 111, Local Ordinance 382 the Detective Bureau was assigned to conduct an investigation of the above referenced business that filed an Ice Cream Vendor Application.

Ms. Alsaleh filed all appropriate paperwork regarding his application. Ms. Alsaleh does not have any complaints lodged against her with this agency. She has a valid New Jersey driver's license and no criminal convictions were found. Her vehicle is properly registered and insured.

I therefore find no reason why this application should not be approved.

Should you have any questions or need additional information, please feel free to contact me at anytime.

**3. Det. Lt. Thomas Johnson, Re: Extension of Liquor License to  
SBPD Receiver**

**To: Lt. David Agar, SBPD Date: May 28, 2021**

Re: Liquor License – Extension of License to Receiver  
License# 0257-33-012-007  
ARL Saddle Brook Management LLC  
Operated as Saddle Brook Marriott of 138 Pehle Ave., Saddle Brook NJ 07663

In accordance with the Code of the Township of Saddle Brook Chapter 52 the Investigations Division has reviewed and investigated the Liquor License Extension of License Receiver of ARL Saddle Brook Management LLC.

In accordance with Civil Action File No. 21-CV-03475, ARL Saddle Brook Management LLC (Receiver) maintaining an office at 30 Rowes Wharf, Suite 5300, Boston Massachusetts was appointed as the receiver of the Borrower's assets, including the above mentioned liquor license.

The order was outlined in United States District Court, District of New Jersey, referencing the above civil action on behalf of the plaintiff, Wilmington Trust, National Association, as Trustee, for the benefit of the Holders of SG Commercial Mortgage Trust 2016-C5. The company and its agents were backgrounded by the Court prior to the receiver being appointed.

I recommend that this Extension of License to Receiver be approved as it does not appear to be contrary to public interest. All stockholders are not disqualified by age, criminal record, police officer status, and ownership interest in more than two licenses, undesirable character or any other articulable reason. A copy of the Civil Action (21-CV-03475) is being retained in a file with the Saddle Brook Police Department and will be available upon request.

**4. Robert Klein, PE Re: Albany Street Road Improvements  
Remington & Vernick Recommendations to Award  
Engineers**

**To: Peter Lo Dico, Twp. Clerk Date: May 28, 2021**

We have tabulated the bids received on Thursday, May 27 2021 with reference to the above-captioned project and find the lowest bidder to be Frank Macchione Construction Inc, 141 Central Avenue, Rochelle Park, NJ 07662 in the amount of \$151,272.85 representing the base bid on the quantities for items #1-23 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 Frank Macchione Construction 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.

## \* RAFFLES & APPLICATIONS

### PUBLIC PLACE

1. Frank's Pizza – 189 Route 46 West – RENEWAL
2. Bubbakoos Burritos – 110 Market Street, Suite 100 - RENEWAL

### ICE CREAM VENDOR

3. Zam Zam – 121 Tamarack Rd., Wayne, NJ - NEW

## \* REPORTS

1. Municipal Court Monthly Report – April 2021
2. Grant Writer Monthly Report – April 2021
3. Construction Code Official Monthly Report – April 2021
4. Property Maintenance Official Monthly Report – April 2021
5. Water Monthly Revenue Report – April 2021
6. Tax Collector Dept. Monthly Revenue Report – April 2021
7. Engineer's Mid-Month report – May 2021
8. Budget Status Report – May 2021

### Old Business / New Business

Mr. Suarez noted the Township Planner would have a report for the Council on the new cannabis legislation before the next meeting. He asked if they would like to have an attorney who is knowledgeable about the new legislation speak at the next meeting. Council President D'Arminio said yes.

Mayor White congratulated all the graduating students and thanked the police and DPW for their work on the parade. He wished Nancy Gara a happy birthday.

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

Motion: Councilwoman Mazzer

Second: Councilman Gierek

Roll call:

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

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

Motion: Councilman Cimiluca

Second: Councilman Gierek

Roll call:

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

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

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll call:

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

Meeting adjourned at 7:53 PM.

Respectfully submitted,

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

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Karen D'Arminio  
Council President

Approved: July 1, 2021