

The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on October 7, 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 – absent
Councilman Gierak – absent
Councilman Accomando – present
Councilwoman Mazzer – present
Council President D'Arminio – present

Mayor White – present
Lisa Bicochi for Anthony Suarez, Twp. Attorney – present
Mr. Klein – Twp. Engineer – present

Council President D'Arminio asked everyone to please rise for the salute to the flag.

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.

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.

Proclamations

Mayor White read portions of the following proclamations: Italian Heritage and Culture Month; Hispanic and Latino Heritage Month; Breast Cancer Awareness Month and National Mammography Day.

Council President D'Arminio asked for a motion to open the meeting to the public.

Motion: Councilwoman Mazzer Second: Councilman Accomando

Roll call:

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

Mr. Thomas Van Winkle of Lincoln Avenue said the Mayor's Youth Group would be meeting on Saturday, October 23rd at 10:30 AM in Town Hall to discuss the Halloween events, and he invited any Saddle Brook residents in 4th through 12th grade to join the Youth Group at any time of year.

He discussed the Senior Halloween Party to be held on October 26th from 6:00 PM to 9:00 PM at the VFW on Market Street. He said the Youth Group would be serving food and beverages. Trunk or Treat would be held on Saturday, October 30th from 12 Noon to 2:00 PM at 55 Mayhill Street; volunteers can sign up at the Town Website. The Halloween Decorating Contest would be judged by the Youth Group; contestants should register with Christine Genuario, and the deadline is October 27th. Results will be posted on the Youth Group's Facebook page on Saturday, October 30th. He noted he would be taking photos off all the houses in the contest as well.

Council President D'Arminio thanked Mr. Van Winkle and said she was at the Eagle Scout Award Dinner where he was taking photos and said he did a great job.

Mr. Eric Neunzig of Lyster Avenue expressed his concern and asked for help. He said there are a lot of children on his block and in one of the houses there is a young gentleman who is challenged, and it's a weekly, monthly, daily occurrence where the police are called to our block because there is ranting, yelling, screaming. Everybody hears it, and some of our kids are very young. There's new folks who live across the street who have really young children. My daughter is nervous to even ride her bike up and down the street because of the yelling and the screaming. You don't know what's going to happen or when it's going to happen. The police are there constantly - I'm sure you can check with the police - dozens and dozens and dozens of times. For the safety of our community, for our street, and for the person living at that house, we feel there is a better place for that person to stay. I don't know what we can do, but maybe as a community we can find something that can make it better for everybody. I've heard on numerous occasions, and I won't repeat them here, but things were said where if anybody else in this room would say that, if I would say it, I would be locked up and they'd throw away the key. It's just not right. It's not right for anybody, and this gentleman needs the proper help and the proper place, and I'm here to represent my street, Lyster Ave, to let you all know and ask for your help so maybe we can come together to try to resolve this so that way we're all okay. The last thing I want to hear is, oh, well we could have done something, because I keep hearing we can't do anything until something happens. God forbid that one day something happens and oh, well we should have done something. No. Let's be proactive and get ahead of it. We have children who are – adults we can handle ourselves - but little kids, from whatever, 3 to 15, they might not be able to and I just want them to be safe, and I don't want disturbances where I'm sitting on my front porch having a phone call and I'm hearing someone screaming and yelling these things that in anyone else's household it would be a big problem. Thank you for listening. I hope some of my neighbors will be able to come down at the next meeting and we can continue to work together and hopefully find some resolution.

Councilman Accomando said we are aware of the issue, and we are involved. I believe last time we sent a letter to the parents.

Mr. Lo Dico said the policed department is working with the County.

Council President D'Arminio asked the Mayor to elaborate and said we know the history, Nick Wille has been here. We know Nick really well and we know, but the Mayor can bring you up to date.

Mayor White said we feel for the neighbors, and we completely understand where you're coming from. We've been working on this for the better part of six months or almost a year. The police department is involved; we have the Township Attorney involved; we called the Bergen County Prosecutor's office to see if there's anything they can do. Right now the police department is working with a representative from social services, and we're doing everything we can, believe me. It's a very complex, difficult situation, and I wish we could make this go away, but it's not that easy. I know, believe me, if I were you, I would feel the same way you do, and I would be upset, and I would want this thing resolved. We are working with the parents of this individual. I can't say too much more, but we're trying. No stone is unturned. We're trying everything we can. It's difficult because we're getting a lot of – there's not much you can do, but we're not accepting that. We're going to do the best we can to see that this problem is resolved.

Mr. Neunzig said we as residents will continue to...

Mayor White said it's a lot of resources being used.

Mr. Neunzig said they're getting called once or twice a week. The resources are being taken away from maybe a real emergency where someone needs help or whatever it is or there are resources when something could happen and they say oh, they cried wolf again and then all of a sudden something real. I don't need to rush over there, because we know the same protocol. Everything is going to happen. We're going to call the ambulance, and the ambulance is going to come, and they're going to take him away,

and he's going to come back in a day so I don't need to rush over there, and then all of a sudden that's the day that the little kid on the scooter gets whatever. I appreciate you guys are doing everything you can; I just want to voice my opinion, and I thank you. Hopefully, we get this resolved, and everybody is safer and happier.

Mayor White said I appreciate you coming in. We've gotten several complaints from residents over there. I can see you're kind of at your wit's end, and it's understandable. We are going to continue to work on it to solve the problem.

Mr. Neunzig said I appreciate it.

Council President D'Arminio said continue to call the police. Officer in Charge Galbo is well aware of it, and he even says just call. Don't think they're too busy; call them.

Mr. Neunzig said we will keep on it.

Ms. Sandra Moreno of Steinway Road I've been a resident of Saddle Brook for 24 years, 17 of those have been on Steinway, and we're three blocks over from Market Street, so we get a lot of car traffic. They're trying to rush by to get off of Market Street and not have to sit at the light, both ways, it's a two way street. We're also on a curve, so it's dangerous with the two – they're going two ways, and there's cars parked on the street, there's kids. My daughter just got her permit, and she's trying to pull out of the driveway, and they're shooting down the street, so I wanted to come here to find out if there's something you could do, maybe speed bumps. Recently, I know it wasn't too long ago, they put stop signs on Dewey Avenue and Steinway. They shoot right through those things, so I'm not even sure a speed bump would help, but it's just something because it's getting crazy. They literally speed down that street. They're not going like 10 or 15 miles an hour; they're speeding down the street, coming back the other way, so I just came here to find out if there's anything that we could do to eliminate the problem before there's an accident.

Council President D'Arminio said we do have a committee which is Councilman Accomando, Councilman Cimiluca who is not here, and the Officer in Charge James Galbo who are on the committee. So what I will do is give them your address, and what they do is, Todd, you should really take it from here because you're the one that does this.

Councilman Accomando said we can come to your residence.

Ms. Moreno said come in the morning or come like 4 or 5 o'clock.

Councilman Accomando said I've been on that street for sporting events at Veterans,' and it is a pain. I would like to say within a week we will be there.

Ms. Moreno said just to know that you guys hear that there is a problem. We want to stay here. My kids grew up here. We don't want to move, but it's getting really bad.

Councilman Accomando said we will definitely be there. He asked for her address and she told him.

Mayor White said we just paved Steinway.

Ms. Moreno said it's beautiful. I love it. It's wonderful, but now I think the cars are going even faster because it's not bumpy.

Council President D'Arminio said there's no potholes.

Ms. Morena said right, it's nice. I've noticed they're speeding even faster. It's beautiful we love it, but I think it's like worse.

Mayor White asked how do you neighbors feel? Do they feel the same way you do?

Ms. Morena said I talked to two or three of my neighbors, that's why I came to find out – they couldn't make it. They all have the same concerns. Two houses, one at one end

and one at the other, people just moved in, and they have small children. So that might be a concern come the warmer weather and things like that.

Mayor White said we've had one other request not too long ago for speed hump there. It is a cut-through.

Ms. Moreno said right. It's a good block, but like you said, it's two ways, so especially when you're going around the curve, it's cars parked on both sides of the street so if somebody is rushing this way or rushing this way, and you're driving, it's an accident waiting to happen I think. So I just wanted to see if maybe it was possible for a speed bump.

Councilman Accomando said it's possible, definitely within a week we'll come out there and take a census, and we'll actually send letters to the residents to see how they feel about a speed bump or speed sign.

Ms. Moreno said okay, great. I appreciate it. Thank you very much.

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - absent

Councilman Gierak – absent

Councilman Accomando – yes

Councilwoman Mazzer - yes

Council President D'Arminio – yes

COMMENTS

Mayor White gave a COVID-19 update saying we got some good news overall. In New Jersey over 84% of those eligible have received at least one dose of the COVID vaccine, and just about 5.8 million New Jersians are fully vaccinated, and that makes us the state with the largest vaccination rate in the nation.

He said the 7-day average of new COVID cases in New Jersey is up a little bit 14% from the previous week. There has been an increase in deaths from the previous week, hospitalizations are down 5%. In town we've seen a slight increase of the average of about 12 to 15 cases over the last 5 weeks since the start of school, which seems to be the reason for the increase, but it does seem to be dropping. Over the last week we're seeing less. Nationally and statewide we're beginning to show signs of slowing and that's believed to be because more people have received the vaccine. The stronger Delta variant is driving hospitalizations and deaths across the United States among mostly unvaccinated people. The overwhelming number of cases, hospitalizations and deaths in New Jersey are among unvaccinated people. Vaccination is the best way to stop the spread. Thus far the Township schools are doing well with no shutdowns. The township offices, library, senior center are fully open to the public, and now that most of the COVID restrictions have been lifted we are having more events and activities. The use of the Pfizer COVID-19 booster has been authorized. Moderna and J&J should be approved shortly. At this time individuals 65 or older and those who are immunocompromised are eligible for that. Booster shots will be administered at any existing site in New Jersey. For general information about COVID-19 please check the town website at saddlebrooknj.us, the county site at co.bergen.nj.us or the at state nj.gov. You can also dial 211, or there's a toll free call center, 1-800-222-1222.

The Mayor announced tax bills should be coming out tomorrow or Monday; everyone should have them by next week. Online payments are going to be available for the first time for this November quarter. Senior Tax Freeze qualifiers must make under \$92,969 to get your taxes frozen at 65 years of age. The deadline to apply is November 1st. Most of our seniors are well aware of this.

Mayor White said Town Hall will be closed this Monday, October 11th, Columbus Day. If you have grass clipping pick up on that Monday we will pick it up on Friday, October 15th. Leaf bags are now available, 10 per household here at Town Hall. The Business Administrator will be staying until 9:00 PM for voter registration on Tuesday, October 12th so he can distribute bags as well.

He noted we received a letter from the County Executive regarding the Community Development Block Grant funds, and our allocation for 2021 and 2022 was approved. We're going to be receiving \$157,000 barrier free improvements on the new building.

Mayor White congratulated UNICO for running another successful street fair and said Bob from Remington & Vernick is going to be applying for a DOT grant for Safe Routes to Schools; they'll be working with our grant writer. We're going to be paving Wilson Street very soon, and within the next week we should be doing the concrete work. We are doing speed humps on Wilson and Fairlawn Parkway. At Tri-Centennial Park the DPW poured the concrete bases for memorial benches, and at Mayhill Street Park the playground has been ordered, and installation is expected shortly.

The Mayor said this is fire prevention month. I'd like to thank Fire Marshal Mike Seitz and all the volunteer fire fighters. Please contribute as much as you can to our annual fund raisers. They do a great job here in town. We have a fantastic fire department.

He noted the flood committee met last Wednesday, September 29th. We're in the process of being accepted into the Community Rating System for FEMA. This program will give the town a rating based on various factors that include educating and preparing the community for flood events. As our rating improves our residents will receive a reduction in their flood insurance premiums. Beginning this month, FEMA's National Flood Insurance Program will begin to offer more equitable and risk-informed rates. The new premiums are a result of the program's new pricing methodology, which uses technology to determine the full flood risk, so some existing policy holders may be eligible for an immediate decrease in their premium, while others may experience an increase that is proportionate with their full risk. By statute, most rate increases are capped at 18% per year. We will meet again in November and anyone interested in the community who wants to participate can contact Town Hall or my office or the business administrator for more information.

Mayor White thanked the Saddle Brook Diner for donating food to several families who needed emergency shelter during Ida. He noted Senator Lagana has arranged for the Passaic Valley Sewerage Commission to come into Saddle Brook to clean and de-slag the river and said I'm going to be meeting with the individual in charge of the Sewer Commission within the next couple of weeks.

He said the scam presentation that we had this Monday, October 4th at the Senior Center, we were fortunate to have – I want to thank Prosecutor Mark Kasella and Senator Joe Lagana and Assembly members Lisa Swain and Chris Tully, and prosecutor's office officers, the Saddle Brook Police Department, Senior Director Joe Lecce and Council President Karen D'Arminio who arranged to have them come for the presentation. It was very informative, and the seniors were very happy. We also did one ourselves, the police department, and it is on Our Town TV. That was a few months back. This was very similar.

Mayor White discussed upcoming events, saying this weekend is the Town wide Garage Sale; UNICO Columbus Day service is this Saturday, October 9th at 9:00 AM on Welcome Road. The Halloween Decorating contest is Saturday, October 30th 12 noon to 2:00 PM; October 26th Senior Halloween Party, VFW 6:00 PM to 9:00 PM. He then congratulated the Eagle Scouts, Jonathan Kravitz and Sean Michael Mende and extended his sympathies to the family of Jeff Horohonich a lifetime resident of Saddle Brook, an esteemed basketball and softball coach at IHA and Holy Angels and coach here in Saddle Brook, and also our grant writer John Bruno passed away recently as well.

The Mayor said on Schepis Ave there's a lot of cut-through traffic, and UPS and other couriers cut through to get to Fairlawn Parkway or Midland Avenue but Fair Lawn has road work on Broadway/Route 4, so they were working at night, and they were going to detour. They advised us the original plan was to detour traffic on Midland Avenue and

then make a left on Schepis and then another left onto Oak, but we couldn't understand it. It was going to happen between 10:00 PM and 6:00 AM, but you were going to have trucks and buses and everything else coming through during the night, and we couldn't understand why they just didn't use Fair Lawn streets because they could get through to Plaza Road on the Fair Lawn streets. Those are smaller streets, but anyway we wrote letters, and our persistence worked. We ended up having a teleconference with them, and they changed the route. He thanked Mr. Lo Dico and Captain Galbo for staying on that.

Lastly he wished good luck to all the candidates that are running in the general election on November 2nd.

Councilman Accomando said Trunk or Treat is looking for volunteers. Reach out to us, please get involved. It's a fun time for the kids. Good luck to all the candidates.

Councilwoman Mazzer thanked UNICO for a great job with the street fair. She commended the Mayor and Mr. Lo Dico and Council President D'Arminio, saying she had a chance to sit in a construction meeting on Mayhill, and it's amazing watching everything that these guys are doing. Everybody is doing an amazing job, and we are on track for May of 2022, I understand. It's exciting, and I'm looking forward to it.

Council President D'Arminio said it's a learning curve. She said I did say at the last meeting after Ida there was not a drop of water there, which there wasn't. We were there on Tuesday, and there was the lake. We pulled into the parking lot, and there was this lake, and I said well, it had rained the day before, but I just want everyone to know that during the construction what they have to do is put a netting on the drain to filter the storm water. So there will be water in that area from time to time after a rain, but once the construction is done that storm drain is filtered, but because of what they're required to do during construction. So you will see possibly a little lake in the back there, but it's really only temporary. I want to make everyone aware of that. Yes, we are moving along. The Mayor and Pete and I have a meeting every two weeks, and right now you're seeing digging and things. We're not really seeing sheetrock and stuff going up. We're not there yet, but we are moving, and I think once we start going inside, once we start putting up walls, it's going to be quick. It's doing all the outside digging work that is taking the longest.

She said the only thing that Thomas and the Mayor didn't remember is Chicken Bingo is October 24th at 12 o'clock at the Senior Center. It's \$15, and you do get a chicken lunch. All are welcome to come. Thomas and the Mayor did mention the Senior Halloween Party at the VFW from 6:00 PM to 9:00 PM. Peter Lieberman, who is a favorite of the seniors, will be there to play his music. Once again, Stojce from the Golden Pub, Frank's Pizza and Mucci's donates the food for us every year. She thanked all of them.

*** ORDINANCES**

1. ORDINANCE #1709-21 – FINAL READING AN ORDINANCE PROVIDING FOR THE VACATION OF A CERTAIN PAPER STREET AND RIGHT OF WAY LOCATED AT ADAMS AVENUE

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 - absent

Councilman Gierak – absent

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 PROVIDING FOR THE VACATION OF A
CERTAIN PAPER STREET AND RIGHT OF WAY LOCATED AT
ADAMS AVENUE**

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 - absent

Councilman Gierak – absent

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 Accomando

Roll call:

Councilman Cimiluca - absent

Councilman Gierak – absent

Councilman Accomando – yes

Councilwoman Mazzer - yes

Council President D'Arminio – yes

CR# 1021-172

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE PROVIDING FOR THE VACATION OF A CERTAIN PAPER STREET AND RIGHT OF WAY LOCATED AT ADAMS AVENUE**

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 - absent

Councilman Gierak – absent

Councilman Accomando – yes

Councilwoman Mazzer - yes

Council President D'Arminio – yes

**2. ORDINANCE #1710-21 – FIRST READING
AN ORDINANCE AMENDING CHAPTER 203 ENTITLED
“WATER” OF THE CODE OF THE TOWNSHIP OF SADDLE
BROOK REGARDING CERTAIN FEES CHARGED BY THE
TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN,
STATE OF NEW JERSEY**

The Council President announced that the next order of business is the introduction of **AN ORDINANCE AMENDING CHAPTER 203**

**ENTITLED “WATER” OF THE CODE OF THE TOWNSHIP OF
SADDLE BROOK REGARDING CERTAIN FEES CHARGED BY
THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN,
STATE OF NEW JERSEY**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - absent

Councilman Gierak – absent

Councilman Accomando – yes

Councilwoman Mazzer - yes

Council President D’Arminio – yes

CR# 1021-173

Be it resolved by the Township Council of the Township of Saddle Brook that
**AN ORDINANCE AMENDING CHAPTER 203 ENTITLED “WATER”
OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK
REGARDING CERTAIN FEES CHARGED BY THE TOWNSHIP OF
SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW
JERSEY**

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 4th day of November, 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 - absent

Councilman Gierak – absent

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 that the minutes of the August 25, 2021 Special meeting and Resolution # 13 – {CR# 1021-186} would not be part of the consent agenda.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

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

MINUTES

The minutes of the August 25, 2021 meeting are not part of the consent agenda.

1. August 25, 2021 – Special Public Meeting

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

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

2. September 7, 2021 – Regular Public Meeting

* RESOLUTIONS

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1021-174

WHEREAS, Tropical Storm Ida devastated many residences in Saddle Brook by flooding many homes; and

WHEREAS, residents now in the recover stage find themselves with the costly task of replacing damaged furnaces, hot water heaters, etc; and

WHEREAS, many residents were not covered homeowner’s insurance for this catastrophe,

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook that all fees for plumbing and building permits, as well as local administrative fees for electrical permits for flood victims are hereby waived effective September 1, 2021.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1021-175

WHEREAS, Sean Mende, member of Boy Scout Troop 213, has achieved the highest honor in scouting, Eagle Scout, on April 7, 2020; and

WHEREAS, Sean is a graduate of Monroe Woodbury High School and began scouting in 2015 and served in many leadership positions such as chaplain, librarian quartermaster, assistant patrol leader and patrol leader; and

WHEREAS, Sean has participated in many programs and activities in scouting such as camping, hiking and attending the National Jamboree in 2018 and Sea Base in St. Thomas in 2021. Sean's Eagle Scout Project was the relocation of the tabernacle and the creation of a shrine to the Sacred Heart of Jesus at his parish with Cardinal Timothy Dolan celebrating a Holy Mass.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook that Sean Mende is recognized for his commitment to the tenets and beliefs of the Boy Scouts of American and is hereby commended on his achievement of scouting's highest honor – Eagle Scout.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - absent

Councilman Gierak - absent

Councilman Accomando - yes

Councilwoman Mazzer - yes

Council President D'Arminio - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1021-176

WHEREAS, Jonathan Kravitz, member of Boy Scout Troop 213, has achieved the highest honor in scouting, Eagle Scout, on February 12, 2021; and

WHEREAS, Jonathan started with Cub Scout Pack 222 over 10 years ago and continued in scouting, serving as quartermaster, troop guide and den chief; and

WHEREAS, Jonathan has participated in many programs and activities in scouting such as camping, hiking, and high adventure trips like Swamp Base in 2018 and Sea Base at St. Thomas in 2021, and Jonathan's Eagle Scout Project was the construction of 8-foot picnic tables and renovation and cleaning of cabins at New Wels Center for Education, Arts and Recreation.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook Jonathan Kravitz is recognized for his commitment to the tenets and beliefs of the Boy Scouts of America and is hereby commended on his achievement of scouting's highest honor – Eagle Scout.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - absent

Councilman Gierak - absent

Councilman Accomando - yes

Councilwoman Mazzer - yes

Council President D'Arminio - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

**A RESOLUTION SUPPORTING AND AUTHORIZING SUBMISSION OF AN
APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION’S
SAFE ROUTES TO SCHOOL PROGRAM FOR THE “SADDLE BROOK SCHOOL
TRANSPORTATION SAFETY PROJECT”**

CR# 1021-177

WHEREAS, the Township of Saddle Brook (“Township”) and the Saddle Brook Public School District have collaborated to develop a project that will improve routes on public roads that provide access to school facilities; and

WHEREAS, the Township is applying to the New Jersey Department of Transportation’s Safe Routes to School Program for funding to address unsafe curbs and sidewalks and to increase pedestrian safety in the areas surrounding Helen I. Smith Elementary School, Franklin Elementary School, Long Memorial Elementary School, and Saddle Brook Middle/High School within the Township of Saddle Brook; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children and residents in the areas surrounding the aforementioned schools; and

WHEREAS, maintenance of the facility, once constructed, will be assumed for the Township with the exception of (1) local ordinances that place maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways; and

WHEREAS, the Township will assign its Township Administrator to serve as the responsible charge for the project; and

WHEREAS, the Township and the Saddle Brook Public School District recognize the value of interlocal cooperation as a way of reducing duplication and overlap of services as a means of efficient and economical utilization of resources; and

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook it hereby supports and authorizes the submission of electronic grant application titled “SRS-2022-Saddle Brook School Safety -00033” to the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor, Township Administrator, and Township Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK

RESOLUTION

RESOLUTION REQUESTING A DEDICATED TRUST BY RIDER ACCOUNT FOR POLICE EVIDENCE

CR# 1021-178

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as dedicated by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, the Township of Saddle Brook Police Department obtains funds as evidence in an investigation which must be held pending the completion of the investigation or other legal proceedings; and

WHEREAS, the receipt and expenditure of said funds shall be in accordance with the Local Public Contracts Law, Local Budget Law, Local Fiscal Affairs Law, and applicable to Township Ordinances and procedures, directions from the applicable County prosecutor's office or Attorney General, as appropriate; and

WHEREAS, N.J.S.A. 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by Dedication by Rider.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Township Council of the Township of Saddle Brook, County of Bergen, New Jersey hereby requests approval from the Director of the Division of Local Government Services, for the establishment of a dedicated rider account pursuant to N.J.S.A.40A: 4-39 for an account to be entitled, "Police Department Evidence;" and

BE IT FURTHER RESOLVED that said funds may only be expended as directed by the applicable law enforcement agency or Court; and

BE IT FURTHER RESOLVED that the Township Clerk will forward two copies of the Resolution to the Director of the Division of Local Government Services for review and approval.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - absent

Councilman Gierak - absent

Councilman Accomando - yes

Councilwoman Mazzer - yes

Council President D'Arminio - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

CR# 1021-179

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Saddle Brook, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - absent

Councilman Gierak - absent

Councilman Accomando - yes

Councilwoman Mazzer - yes

Council President D’Arminio - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1021-180

WHEREAS, the Director of the Division of Local Government Services has formally directed all municipalities to adopt a Corrective Action Plan as part of their annual audit process; and

WHEREAS, this Corrective Action Plan shall be submitted to the Director of Local Government Services upon adoption by the Township Council and it shall be kept on file with the Township Clerk; and

WHEREAS, the Plan shall cover all audit findings and recommendations and be prepared in accordance with the Single Audit Act OMB Circular 12A and Local Finance Notice 92-15; and

NOW THEREFORE BE IT RESOLVED, that the Township hereby approves the attached Corrective Action Plan for the 2020 Annual Audit; and

BE IT FURTHER RESOLVED, that the Township Clerk is hereby directed to maintain said Plan in Township files, available to the public; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution, including the Corrective Action Plan, be forwarded to the Director of Local Government Services.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - absent

Councilman Gierak - absent

Councilman Accomando - yes

Councilwoman Mazzer - yes

Council President D'Arminio - yes

TOWNSHIP OF SADDLE BROOK, BERGEN COUNTY

2020 Audit - Correction Action Plan

In response to the audit findings contained in the *Township of Saddle Brook, County of Bergen, NJ Comprehensive Annual Financial Report, Year ended December 31, 2020*, please find below the Township Auditor's findings as well as the corrective action plans proposed by the Township's CFO.

FINANCE

Finding #1 – The subsidiary ledger in the General Capital Fund does not agree to audited balances for the Schedule of Improvement Authorizations.

Corrective Action – An analysis of each individual Improvement Authorization is being done in order to bring the ledger balances in agreement with the audited balances.

Finding #2 – The various Trust Fund general ledgers are not in agreement with the client prepared bank reconciliations.

Corrective Action – Monthly analysis of all trust funds will be performed to ensure that ledgers are in agreement with bank reconciliations.

Finding #3 – Dedication by Riders for the following trust funds have not been submitted and/or approved:

- a. Mount Laurel Trust Fund
- b. Health Benefits Claims Trust
- c. Animal License Trust Fund

Correction Action – Resolutions for Dedication by Riders for the trust funds have been re-sent to the State of New Jersey for approval.

Finding #4 – Goods and services are being ordered and/or paid for prior to encumbrance.

Corrective Action – All department heads have been re-instructed on proper purchasing procedures and informed that no purchase will be approved without following the necessary steps.

Finding #5 – 1099's were not issued to all vendors and/or individuals that were paid in excess of IRS thresholds

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1021-183

WHEREAS, the NJ Department of Environmental Protection required a Declaration of Deed notice for Block 801, Lots 5.02 and 5.03 (55 Mayhill Street) requiring certain information to be recorded with Bergen County Clerk,

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 NJ DEP Declaration of Deed Notice and authorizes the Mayor to sign said agreement.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1021-184

WHEREAS, Budz Prime, LLC is a New Jersey based limited liability company and is seeking a cannabis conditional dispensary license in New Jersey; and

WHEREAS, the members of the Township Council have met with representatives from Budz Prime, LLC and are impressed with the team they have assembled, their business plan and their ability to fund and operate their venture of a cannabis recreational dispensary in Saddle Brook; and

WHEREAS, the Township Council believes that the company and their operation would be a good fit for the municipality; and

WHEREAS, the Township has made revisions to the Zoning Ordinance and some of those revisions specifically permit, as a 'use' a cannabis recreational dispensary; and

WHEREAS, the Township has recently decided to regulate cannabis related uses, however, nothing in the recent ordinance would prevent Budz Prime, LLC from legally operating within the Township;

NOW THEREFORE BE IT RESOLVED, that the Township hereby supports the granting of the license sought by Budz Prime, LLC, permitting the operation of a recreational marijuana dispensary within the boundaries of the Township of Saddle Brook, subject to the Township's zoning requirements relating to such a business.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1021-185

WHEREAS, a need exists for a Municipal Housing Liaison for the Township of Saddle Brook,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that Peter Lo Dico is hereby appointed as Municipal Housing Liaison.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

THE FOLLOWING RESOLUTION CR# 1021-186 IS NOT PART OF THE CONSENT AGENDA

Councilwoman Mazzer read the following resolution.

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1021-186

Introduced by Mayor and Council

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, especially during the pandemic; and

WHEREAS, we recognize the commitment of the Saddle Brook Chapter of UNICO to our community by supporting programs including Saddle Brook's Street Fair, local food banks, awarding scholarships, supporting causes such as Jimmy V., Cooleys 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: Councilman Accomando

Second: Councilwoman Mazzer

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1021-187

WHEREAS, Woit Industries, Inc., owner of Block 405, Lots 9, 10, 11 wishes to explore re-zoning of their property; and

WHEREAS, Woit Industries, Inc. agrees to establish an escrow for reimbursement of costs for professional services related to this endeavor,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby enters into this agreement with Woit Industries, Inc. and authorizes the Mayor to sign said agreement.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1021-188

WHEREAS, Remington and Vernick, Township Engineer has submitted a proposal dated October 1, 2021 for the NJDEP Site Remediation requirements for 286 Third Street,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby authorizes Remington and Vernick to proceed with the environmental report at a cost not to exceed \$53,335.00 providing funds are available.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

RESOLUTION

CR# 1021-189

WHEREAS, Remington and Vernick, Township Engineer has submitted a proposal dated October 1, 2021 for completing the application for NJ I Bank funding for water main improvements,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby authorizes Remington and Vernick to proceed with the application process at a cost not to exceed \$10,000.00 providing funds are available.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1021-190

WHEREAS, the Township of Saddle Brook advertised for receipt of bids for recycling; and

WHEREAS, one bid was received from Joseph Smentkowski, Inc. Jersey City, NJ; and

WHEREAS, after review of the bid a recommendation was made to reject the bid and re-advertise,

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Saddle Brook that the bids are hereby rejected and that the Township Clerk is hereby authorized to re-advertise for bids and the current contract will be extended through December 31, 2021.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

* CORRESPONDENCE

1. **Wielkotz & Company,
Township Auditors**

Re: 2020 Audit

To: Mayor and Council

Date: August 26, 2021

We have audited the financial statements of the various funds and account group of the Township of Saddle Brook, County of Bergen, for the years ended December 31, 2020 and 2019, and have issued our report thereon dated August 26, 2021. Professional standards require that we provide you with the following information related to our audit.

Our Responsibility Under U.S. Generally Accepted Auditing Standards and Government Auditing Standards

As stated in our engagement letter, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with accounting principles or practices prescribed by the Division of Local Government Services, Department of Community Affairs, State of New Jersey. Our audit of the financial statements does not relieve you or management of your responsibilities.

As part of our audit, we will consider the internal control of the Township of Saddle Brook. Such considerations are solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will also perform tests of the Township of Saddle Brook's compliance with certain provisions of laws, regulations, contracts, and grants. However, the objective of our tests is not to provide an opinion on compliance with such provisions.

Our responsibility for the supplementary information accompanying the financial statements, as described by professional standards, is to evaluate the presentation of the supplementary information in relation to the financial statements as a whole and to report on whether the supplementary information is fairly stated, in all material respects, in relation to the financial statements as a whole.

Planned Scope and Timing of the Audit

We performed the audit according to the planned scope and timing previously communicated to you in our meeting about planning matters.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Township of Saddle Brook are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2020. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate(s) affecting the financial statements was:

Management's estimate of the annual budget is based on historical data. We evaluated the key factors and assumptions used to develop the budget in determining that it is reasonable in relation to the financial statements taken as a whole.

The financial statement disclosures are neutral, consistent and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated August 26, 2021.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with our accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention. We had no material findings for the year ended December 31, 2020 audit. However, we did identify immaterial deficiencies in internal control and instances of noncompliance that we have reported to the management of the Township of Saddle Brook in the accompanying comments and recommendations section of the report.

Other Matters

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles or practices prescribed by the Division of Local Government Services, Department of Community Affairs, State of New Jersey, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the use of the members of the Township of Saddle Brook and is not intended to be and should not be used by anyone other than these specified parties.

2. Robert Klein, Remington Vernick Engineers Re: Alberta Drive Emergency Repairs

To: Peter Lo Dico, Twp. Clerk Date: October 1, 2021

On Wednesday, September 15, 2021 it was discovered that a sinkhole had developed over the storm sewer line that runs in between 161 and 165 Alberta Drive, which runs from Alberta Drive to Graham Terrace. Another sinkhole was also discovered over the storm sewer line that runs behind 26 Hutter Street. This section of pipe runs from Graham Terrace to Floral Lane and connects into the first line noted. A third sinkhole was discovered over a storm sewer line between 30 and 36 Oxford Avenue. Due to the hazards that were presented, the DPW and this office called J. Fletcher Creamer & Son (JFC) out to televise the lines and determine the cause of the sinkholes to see if any emergency pipe repair was warranted.

After viewing the video, it was determined that emergency pipe repair was not warranted on the Oxford Avenue Run or the Alberta Drive Run, however the Alberta Drive pipe had offset joints at several locations and that run of pipe should be lined. Due to a buildup of material, the camera could not access the run of pipe from Graham Terrace to Floral Lane.

On Thursday, September 16, 2021, JFC returned to fill in the sinkholes at all three locations in order to remove the hazard. The total cost of this work is approximately \$6,500.

In order to evaluate the condition of the pipe run from Graham Terrace to Floral Lane, we recommend preparing a RFQ package and seek three quotes to perform videoing and cleaning of that storm sewer line. Once the line is video'ed, RVE can review the video and recommend repair or lining work.

In accordance with NJ Local Public Contracting Rules under NJSA 5:34-6 Emergency Contracts, we are declaring an emergency for the filling of the three sinkholes noted above. It is believed that the sinkholes developed as a result of the Hurricane Ida rainfall and subsequent flow in the pipe.

NJAC 5:34-6 states that the following needs to be complied with to declare an emergency:

1. An actual or imminent emergency must exist requiring the immediate delivery of the goods or the performance of the service; **Our office declares that work must be performed immediately to protect residents from the hazardous sinkholes that developed.**
2. Not applicable since this section only applies to School Boards.
3. The emergency purchasing procedure may not be used unless the need for the goods or services could not have been reasonably foreseen or the need for such goods or services has arisen notwithstanding a good faith effort on the part of the contracting unit to plan for the purchase of any goods or services required by the contracting unit; **Our office offers that it was not reasonable to foresee as it was caused by the rains of Hurricane Ida. The issue was only realized when an observation was made by the residents that the sinkholes developed.**
4. The contract shall be of such limited duration as to meet only the immediate needs of the emergency: **The only work that was performed was to fill in the sinkholes in order to remove the hazard.**
5. Under no circumstances shall the emergency purchasing procedure be used to enter into a multi-year contract. **A multiyear contract is not proposed.**

As summarized above, the work performed by JFC should be declared as emergency work. If you have any questions regarding the above, please do not hesitate to call our office.

3. **Richard Arango,** **Re: 286 Third Street, Engine No. 2**
Remington Vernick, Twp. **Property, Block 107, Lot 14,**
Engineer **Proposal for Additional**
 Environmental Services

To: Peter Lo Dico, Twp. Clerk Date: October 1, 2021

Re: Township of Saddle Brook
286 Third Street Engine No. 2 Property
Block 107, Lot 14
SRP PI # 014482
Case Tracking No. 94-06-22-1527-50
Proposal for Additional Environmental Services
Our File # 0257T029

1:21
CLERK

Dear Mr. Lo Dico,

REMINGTON & VERNICK ENGINEERS (RVE) is pleased to submit this environmental services proposal for the above-referenced Site. The environmental investigative actions detailed herein are necessary to maintain compliance with current New Jersey Department of Environmental Protection (NJDEP) regulations, specifically the Technical Requirements for Site Remediation, per the New Jersey Administrative Code (N.J.A.C.) 7:26E (the Tech Regs), and the Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) pursuant to N.J.A.C. 7:26C et seq. The focus of contamination remains in groundwater resulting from a 2,000-gallon unleaded gasoline tank leak in the driveway of the fire house. The UST was improperly closed by the former consultant/contractor when the tank was removed in 1994. On June 6, 2021, NJDEP has placed this site into the Department's Direct Oversight (DO) program. Project stakeholders, participated in a zoom meeting regarding the requirements of this program on June 26, 2021, and responsible party requirements needed to complete the Administrative Consent Order (ACO)) for compliance with the DO program. NJDEP recently contacted RVE in matters relating to status of the Township's response and willingness to address the requirements of the DO program, and after consultation with Township project stakeholders, RVE responded to NJDEP in the 9/24/2021 email communication confirming that it was the Township's intention to proceed with the required investigation/remediation and ACO process. These requirements include:

- Continuing with the next phase of the remedial investigation,
- Preparation of a Public Participation Plan (PPP),
- Preparation of a Draft Response to the June 6, 2021, NJDEP Bureau of Enforcement & Inspection (BEI) Letter committing the Township to a schedule of compliance, and preparation of a suggested schedule of compliance based on a review of Site Investigation data compiled to date,
- Preparation of a cost estimate to complete remedial activities through Licensed Site Remediation Professional (LSRP) resulting in the issuance of a Response Action Outcome (RAO) Letter,
- Completion of an Initial Funding Sources RFS/FA Form Version 2.1,
- A written commitment to fund the project through to final Response Action Outcome (RAO), and
- Assistance provided to the Township in connection with drafting a Resolution committing the Township to proceed with the required investigation, remediation and ACO process,

The New Jersey Statutes Annotated (N.J.S.A.) 40A:1-11 allows the Township to execute a consensus agreement committing the Township to long term financial obligations. The LSRP expects the remediation through RAO will take from two (2) to three (3) years, with a follow-up Groundwater Remedial Action Permit (GWRAP) requiring annual sampling of selected wells until 2039. Approximate engineering costs through that time period is estimated at approximately \$284,000.00. This proposal addresses the bullet items enumerated above, or the expenditure through December 31, 2021.

These tasks are enumerated below.

Task 1 Continuing with the Next Phase of the Remedial Investigation

This task includes installation and sampling of three (3) permanent flush mount two (2) inch PVC shallow ground water monitoring wells on and off the property to delineate the extent of the ground water plume horizontally and vertically. These wells are located on Figure 1 with locations indicated below:

- MW-5 - side-gradient horizontal delineation well screened 5-15 feet (ft.) below ground surface (bgs) near the north curb on President Street,
- MW-6 - down-gradient horizontal delineation well screened 5-15 ft bgs on the sidewalk adjacent to the east side of 2nd Street, and
- MW-7 - vertical delineation well screened to 35 ft. bgs, 25 ft into bedrock, near the source of ground water contamination on the property driveway.

The RVE technicians will return to the site two (2) weeks after well installations and collect a ground water sample for Volatile Organic Compounds (VOCs) and Tentatively Identified Compounds (TICs) per EPA Method 8260D.

RVE will also conduct a soil gas study via soil gas and/if necessary indoor air soil gas canister testing in the structure located at 282 3rd Street.

The RVE drilling subcontractor will obtain appropriate utility mark-outs and road opening permits prior to implementing RI activities. At the completion of the RI activities, a path forward letter will be produced for distribution to project stakeholders to assess progress with schedule and commitments made regarding DO and ACO milestones.

Task 2 Public Participation Plan

The Public Participation Plan (PPP) is an opportunity to provide basic site information and solicit community input in advance of requesting access to conduct investigation activities or vapor intrusion sampling. The PPP is required as part of the DO program pursuant to N.J.A.C. 7:26C-14 and is required for distribution to residences and property owners within 200 ft. of the Site.

A draft PPP shall be distributed to Township project stakeholders, along with the mailing list prior to finalization and submittal.

Task 3 Assistance Provided to the Township in Matters Relating to the DO Program and ACO in Progress

RVE will assist the Township in matters relating to the DO Program and ACO in progress. Assistance contemplated includes:

- Preparation of a Draft Response to the NJDEP Letter dated June 6 committing the Town to a schedule of compliance based on a realistic schedule factored on a review of Site Investigation data compiled to date along with assistance provided in connection with a Draft Resolution for consideration by the Township,
- Preparation of a Path Forward letter along with a cost estimate to complete remedial activities through LSRP issuance of an RAO Letter,
- NJDEP coordination,
- Completion of an Initial Funding Sources RFS/FA Form Version 2.1, and
- Assisting the Township in compliance with written commitment to fund the project through to final RAO.

The fee for this task is based on RVE attending one Township Board Meeting (if necessary) and five (5) zoom meetings with project stakeholders as necessary.

The Path Forward letter will recommend any modifications to the DO Program, ACO or schedules provided based on results of remedial Investigation activities results discussed in Task 1. NJDEP DO ACO Guidance allows for the Responsible Party to petition certain relief of DO submittals and requirements going forward. The Responsible Party after completing the tasks, described above, in compliance with the Adjusted DO ACO may earn additional adjustments to N.J.A.C. 7:26C-14.2(b). The Department may allow the RP to:

- Continue to proceed with the remediation without prior Department approval,
- Continue to pay annual remediation fees *in lieu of* the Direct Oversight costs,
- Have submittals continue to go through the Inspection/Review process,
- Not have to submit a receptor evaluation (pursuant to N.J.A.C. 7:26C14.2(b)2iv) since one was already submitted,
- Not have to submit a direct oversight remediation summary report,
- Not have to submit a Feasibility Study to the Department, and,
- Select the protective remedy.

To this end, RVE may use the Path Forward Letter to recommend eliminating these regulatory burdens on the Township.

Costs estimates for the referenced Tasks follow:

Task 1 Continuing with Next Phase of the RI	<i>RVE - \$11,015.00</i>
	<i>Subcontractor-\$ 14,900.00</i>
	\$25,915.00
Task 2 -Public Participation Plan	\$ 8,500.00
Task 3 -Assistance Provided in Connection with DO Program ACO	\$18,920.00

RVE will perform the services outlined herein on a time and material basis with a maximum cost not to exceed of **\$53,335.00**. RVE will prepare the documents for hand delivery by the Township.

Assumptions Factored into Proposal

1. Proposal does not include NJDEP fees. An estimate of these fees to be borne by the Township is provided in the costs estimate breakdown provided in Task 3. Typically, NJDEP DO site costs range from six (6) to eight (8) percent of project costs and annual fees last year were \$1,450.

2. This cost estimate does not include costs for follow-up investigations, Remedial Investigation Report or Remedial Action Report. An estimate of all cost going forward is provided with costs estimate prepared in Task 3.
3. RVE reserves the right to transfer funds from within each task amount depending on project conditions.
4. This Proposal does not include a Feasibility Study, a Direct Oversight Summary Report, or a Receptor Evaluation. Our Path Forward letter will recommend elimination of these items

RVE will proceed with the work described above upon receipt of your written authorization to proceed. Please do not hesitate to contact us if you require additional information.

*** RAFFLES & APPLICATIONS**

Raffles

1. RA# 1333 – St. Philip the Apostle Church – 50/50

Hotel / Motel

1. Crowne Plaza – 50 Kenney Place – RENEWAL
2. Saddle Brook Marriott – 138 New Pehle Avenue - RENEWAL

*** REPORTS**

1. Municipal Court Monthly Report – August 2021
2. County Sanitarian Monthly Report – August 2021
3. Grant Writer Report – August 2021
4. DPW Monthly Report – August 2021
5. Construction Code Official Monthly Report – August 2021
6. Property Maintenance Official Monthly Report – August 2021
7. Police Department Monthly Report – August 2021
8. Tax Collector's Monthly Revenue report – August 2021
9. Water Monthly Revenue Report – August 2021
10. Budget Status Report – July 2021

Old Business / New Business

Mayor White said the mesh that's on the storm drain is causing the restriction. Council President D'Arminio said yes, it is. It's trying to keep out whatever's in the water from going in the drain.

Mr. Lo Dico said it's a requirement of Bergen County Soil Conservation.

Council President D'Arminio said she went for her flu shot today at the library, and the boosters are available at ACME. Pfizer is available. I thought it was 8 months after your second shot, but I was told it's 6 months, and you don't need an appointment. She asked if Moderna could get Pfizer.

Mayor White said supposedly they can, but they don't recommend it.

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

Motion: Councilman Accomando

Second: Councilwoman Mazzer

Roll call:

Councilman Cimiluca - absent

Councilman Gierak – absent

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: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - absent

Councilman Gierak – absent

Councilman Accomando – yes

Councilwoman Mazzer - yes

Council President D'Arminio – yes

Council President D'Arminio wished everyone a Happy Halloween.

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - absent

Councilman Gierak – absent

Councilman Accomando – yes

Councilwoman Mazzer - yes

Council President D'Arminio – yes

Meeting adjourned at 8:15 PM.

Respectfully submitted,

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

Karen D'Arminio
Council President

Approved: November 4, 2021