

The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on October 6, 2022 at 7:00 PM at the Municipal Building, 93 Market Street, Saddle Brook, NJ.

Council President Mazzer called the meeting to order at 7:00pm.

The Township Clerk called the roll:

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

Mayor White – present
Robert Klein Township Engineer - present
Anthony Suarez – Township Attorney - present

Council President Mazzer asked everyone to please rise for the salute to the flag and to remain standing for a moment of silence for Township resident Marie Kenny who recently passed and for the residents of Florida that were impacted by Hurricane Ian.

Council President Mazzer 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.

Council President Mazzer asked for a motion to open the meeting to the public.

Motion: Councilwoman D’Arminio

Second: Councilman Accomando

Roll call:

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

PRESENTATIONS

Thomas Van Winkle of 128 Lincoln Avenue comes forward to give a Mayor's Youth Group update. He talks about upcoming events that they will be participating in. The Senior Halloween Party which is on Tuesday October 25th from 6 to 9 at the VFW also Trunk or Treat on Saturday October 29th from 12 to 2 pm at the new Municipal Complex. They will also be judging the Halloween decorating contest it starts on October 1st and residents can sign up from now until October 27th. Anybody from 4th to 12th grade and lives in Saddle Brook is welcome to join.

Tommy Hayes of 227 Floral Lane comes forward. He speaks about his organization Drums From Heaven which has been raising money for different organizations such as the Saddle Brook VFW, The Wounded Warrior Project, Easter Seals, March of Dimes, National Down Syndrome Society, American Cancer, American Heart, Saddle Brook Challenger and other special needs sports programs since 2005. He asks for support from Saddle Brook for a particular fund raiser Drums From Heaven Halloween Ball on Sunday October 30th from 3 to 8 pm at the Saddle Brook VFW. There will be entertainment as well as food, raffles, prizes and drumming. If you are unable to attend you can send a check to Mr. Hayes or Venmo to him. It is twenty five dollars admission for the event. He asks if anyone is able to donate prizes to contact him. The fundraiser is for Shane Fanno who is the eleven year old son of his nephew who is battling cancer.

Robert Kugler of 311 Fifth Street comes forward. Mr. Kugler mentions Pete LoDico and how he has had some issues as of late and most important was the death of his mother. I want to commend Pete for what he has done over the years of service in our Town. He is Saddle Brook anybody who was Saddle Brook was Peter LoDico. Frank you have big shoes to fill there and we hope Pete can recover from his mother's passing and anything else he may be going through at this time and get back to where he should be and that is part of the fabric of Saddle Brook. That is the most important message I wanted to deliver tonight. Second of all I know there is an election coming up and I know that Councilwoman D'Arminio will not be here after that or at least a couple of meetings after the next election. I want to express how much she was indebted her life and all the good things Saddle Brook has accomplished and will accomplish with the new building so thank you for your service and I'm sure we will see you in the future. You're not going to be a stranger together with your husband former Mayor Lou you guys were great for the Township you live in the Town your heart's here and I wish you well in your retirement. For Councilman Accomando with the election coming up I wish you well in the election also the candidates that oppose you Jerry Taylor, George Cedeno, and Sarah Sanchez. Whatever the election brings it will bring. I just wanted to say that I miss being with the Town I haven't gone far I'm still in the Town my fingers are on the pulse and I hope to resolve whatever the issue that was laid in front of me to be resolved and I get back to being the person that I was. I look forward to being here in Town and following through on what not only you have started but even before you former Mayors including my late father Edward.

Kevin Hickey of 270 Madison Avenue comes forward. I have a concern about the new cannabis place that is opening up. Why is it being rushed? There were some suggestions by the Planning Board I guess they're being ignored. I live on Route 46 behind where they're going to do this cannabis place and I'm very concerned about the smell and the traffic and the element that it may bring. My question was our police department asked for input? I don't know it seems like that would be a great idea to me. If not why not maybe they can inquire with other police departments where this type of manufacturing goes on and if there are any issues for the community in terms of quality of life. I know we have an election coming up as well and maybe we should table all of this decision until after the election because Councilwoman D'Arminio will not be here maybe the new person should have input because that might be the person that's going to deal with all the stuff that will come after the decision. I guess this ordinance was rushed through at the end of August without any review or thought. Why was it introduced in the first place and by who? Why are we jumping through hoops to get this amendment through when we should just leave the already adopted stay in place as is? It seems to me maybe there is someone who is hastily pushing this through and could very well lead people into believing there is an agenda that is self serving and not in the interest in the residents and the quality of life in our community. Councilman Gierek I heard you refrain from the vote and I admire you for that you're a smart man you didn't rush through you should be commended on that and Councilman Accomando you're a police officer do you really want this in the Town just hastily pushing it through I don't think so I just don't think you're going to do that. Councilwoman D'Arminio your husband was law enforcement well respected in Town I can't imagine you want to push it through as well. Council President Mazzer you raise other people's kids I don't think you want that on you either. You're pushing through his agenda and you got kids you want kids to say hey yeah when my kid grows up I want him to go to this cannabis store and buy dope and smoke dope or eat dope whatever they do. Councilman Gierek you're a teacher as well I guess that's probably why you're not for it maybe I don't know I don't want to voice my opinion to you. Councilman Cimiluca I don't know anything about you so I'm not sure why you're so interested in doing it. I have a lot of neighbors who are very concerned they couldn't be here tonight because by the time I found out all of this I didn't realize everything was being rushed through a lot of the people would have been here. I think this has to be reviewed more instead of quick let's get it in. It seems like there's inside trading going on I don't know what's going on but it seems like why are they pushing this what's the story behind it. I'm not accusing anybody of anything I'm just saying what is going on here that's all I have to say thank you.

Bill Gula of 260 Hillside Avenue comes forward. I just want to take a moment for things seem to go awry. Sir I agree with you in terms of marijuana and things like this and what are we doing to our Town and its right next door but there are laws that are in place and this is why we have a council. They need to weigh it and it's hard to weigh it so if someone abstains or say I don't know what are we going to do about this, this is why we have them here. They're there for just that reason and sometimes it hurts and sometimes it doesn't. Mr. Kugler you are an admirable man and I appreciate your coming to the council and speaking what you just said. Pete LoDico is a good friend of everybody. What I want to bring up to this Council is that we've all worked hard around here I'm a citizen I'm not sitting in a position of what I'd like to say is the unthankable position. Everybody on the Council including the engineer and attorney you do a lot of work and a lot of work goes without anybody saying thank you. We have an issue in Town or perhaps a business that nobody likes nobody wants the halfway house next

door either nobody likes it these folks have to deal with that and how they deal with that is up to you that's why we have this meeting. I think over the past few years and with the new complex that's being built the cost to the tax payer is minimal. This Council has done nothing but secure grants where they can and if they didn't get them my opinion is they get mad at each other. Why didn't we get that grant the Mayor will stand up for that. Why didn't we get that grant we should have got that grant what did we do miss the day? This is how this stuff works so I'm only here to say that much. I agree with you sir nobody wants a marijuana business in Town but what I want is a Council that responds to me. This Council will respond to you and yes it's October next month is the election so that's not why I'm here thanks folks for everything you're doing.

George Cedeno of 264 South Lanza Court comes forward. I am running for Council this cycle. Just a caveat to what that gentleman is talking about I kind of agree that this is the reason we have a Council but at the same time this is also a reason why us as residents of this great nation and great Town we come and deliberate and we discuss and we pressure and there's public opinion and public pressure on certain issues that may or may not be desirable. I for one live behind the Wal-Mart by Route 46 and I've heard a lot of grumblings I don't know too much of the details on the technicalities of the ordinance that's about to be passed or being rushed to be passed but I've heard a lot of grumblings in Town when I'm going door to door about a marijuana business now what that business is I have no idea. Is it going to be manufacturing is it going to be retail is it going to be open until 2 am or is it only going to be open until 6 pm I don't know but these are the questions people are asking me as I'm walking around Town trying to solicit their vote. I'm coming up as a concerned resident not so much as a political point but I just want transparency and I think this has been one of the key issues and one of the things people in Town have been wanting is transparency like what is going on. Is it going to be a manufacturing plant or is it going to be some type of dispensary that's located off of Route 17 in Lodi? Those are the certain things and people are very interested and are concerned and I feel because I've looked all over the internet I can't find anything so hopefully there is some transparency tonight and I hope that the Council and the Mayor can hit some key points to either alleviate the stress and anxiety that some of the residents are experiencing with this new marijuana business. That's all I have to say thank you.

Shahid Shaikh of 428 Van Luyn Terrace comes forward. I am here to give a suggestion or maybe you could take into consideration with the new building next to Acme as you see how the world is changing especially the motor vehicle industry everything is going to electric mode and what I'm hearing is by 2030 or something everything has to go electric. Taking that into consideration we have a huge parking lot so I was thinking that if the Township can consider approving some charging stations which I'm pretty sure that in the near future we'll be using it. It can be an incentive to the residents of Saddle Brook or it can be a little charge for outside people. Thank you.

Omar Rodriguez of 275 Madison Avenue comes forward. First and foremost we have an important decision to be made tonight. I have a few questions but the most important question is through the Chair why is the need to amend the ordinance from and industrial area to a B2 zone for manufacturing with less than 5000 square feet can you please explain that to me?

Mr. Suarez – This is for an amendment regarding a smaller micro facility and this allows another type of facility if it's smaller and less of an impact on the neighborhood and in the zone to be opened or to be licensed. At this point in time we have issued some correspondence endorsing some businesses so this would allow if a certain business is interested in putting in its operation 5,000 square feet and under to be put in now a B2 Secondary Business District and that's what's highlighted in the section of the ordinance.

Mr. Rodriguez – I understand that I was trying to look for the Council that is the one that is going to vote here tonight to vote the idea why to change it. If it's already from ten feet from 10,000 to 20,000 square feet for manufacturing or cultivation you guys have lined up already the regulations and it should be in an industrial area why to amend the manufacturing of under 5,000 square feet to a B2 Secondary Business District why, to help someone why, I'm going to ask you why several times. All of you are doing a wonderful job your primary job is to improve the quality of life for the residents to improve the home values not to decrease it. I don't want to tell you what's going to happen with this not because I said it because it's factual. There is no other municipality in the state of New Jersey that has two licenses on the same premises. I understand this license is going into 46 for a class 5 which I got no problem with because that's what the voters decided that's what the Town wanted maybe but not every single Town want it. Just to give you an idea Paramus don't have any of this because they don't want to but if you're going to give them a class 5 already to retail why to the same company to give them the manufacturing why what is the rush? Why not to involve other elements and I have all the elements first and foremost thank you all for your understanding but I'm an affected homeowner as many hundreds of residents that will have to live with this. Let's assume for a second that you do not pass this and take the recommendations of the Planning Board. The Planning Board is saying increase the distance to 1,000 square feet from property to property. Right now your ordinance is saying that you need 500 feet from door to door it's going to be a big problem. I'm not just here to advise I'm a concerned resident for some of you who don't know me I've been sitting up there for years. Council President I know you have a business on Market Street and I can say that this ordinance will lose in court. I'm going to tell you why you cannot dissect just to benefit a particular business or two or three businesses. When you say on a B2 which is a secondary district they are saying that it just goes to lot 104 or lot 105 lot 118 whoever challenges this ordinance will win in court. When you say B2 you will have to open also Market Street and because it's 500 feet from door to door I can assure you there are more than three places near your daycare on Market Street would you like the kids to be smelling that odor during daytime? Does any business like that do any homes around 46 in the back can somebody tell me what happens when it's windy? What are going to be the hours of operation my idea is if you still want to go with this why not allow to keep it on industrial area? Why is the need to bring it to a B2 area B2 is also Market Street. Why to play with the life of many residents especially kids? What is the rush? Now I will have to ask you how much of the money that is from tax revenues has been set aside for social justice? You know this is going to be challenged and you're going to be sued. It is a law that a percentage of the total taxes that is collected in any town in the state of New Jersey have to dedicate to social justice which means programs for people that are in need of recovery. I don't see that in the ordinance. Going along with the ordinance recommendation I don't see none of the recommendations from the Planning Board that actually got together on September 19th they sent a letter in September 20th I hope everybody read it because it's very

important. The Planning Board is concerned but it seems no one is paying attention to the Planning Board so why do we have a Planning Board. The Planning Board is taking care of the business of the residents when something is going to be built and it says in the letter please gentlemen be careful increase it to a thousand feet and it has to be from property line to property line. It's a big discrepancy on this ordinance. Under C1 which is cultivation you're not amending anything so cultivation even if you're going to cultivate ten square feet you have to be in an industrial area right however look what it says on the last line it says distances shall be measured from the closest point of the perimeter of the applicants property which means from property to property. Why is there discrimination in the same ordinance you got an inconsistency and there is no such law that in the same law you have two different laws so either you make up your mind you're going to do it from door to door or from property to property and again why not take the recommendation from the Planning Board. Council President someone challenge this it will pass you got the votes someone come and apply on Market Street of course you won't be able to vote you will have to recuse yourself but the Town will not be able to stop any business because it creates a precedence and I can assure anyone that this you cannot say on B2 on just this lot no you will open the door for all B2 districts. You know that any applicant do not meet the criteria let's say for instance this particular individual will like to have his 5,000 square foot facility and they don't qualify and they don't want to be in the industrial area you know that they still can go to the Zoning Board. It will be better for the Town for any applicant to go through the Zoning Board why because it will be in paper they will be asked questions what type of ventilator that you don't have at this moment you don't have none of that in front of you to make this decision. How is the odor going to be contained in a single place? How is it going to be expelled through the air through the sides how is it going to work do they have a magic machine that they have that the marijuana will not smell I'm not against it but I think the things have to be right and when you do this type of ordinance you can do an amendment you will have to start doing it all over because you already have an ordinance in place that it says. You said please you want to manufacture go to the industrial area and now with a stroke of a pen you just want to change it and say no you know what let's go to B2 just these two blocks of 46 but a big law firm will come and say B2 is B2 let's go to Market Street because I want to do business there. How are you going to stop it? None of you will have the power and again please talk to your attorney first because the attorney of the Planning Board sent you a letter and still you haven't even correct the typos and you're ready to pass an ordinance that is not understandable and again the Township and the Planning Board Attorney saying change the language because it doesn't make sense. Thank you for your time and I hope you make the right decision and I hope since election is coming there is no rush and it should be done after the election.

Katie Toledo of 127 Oxford Avenue comes forward. I am for this ordinance and I just want to say I support it given that we do have a lot of liquor stores and bars in our Town there's more people dying from drunk driving or overdosing and over alcohol and pills so I think that's what we should worry more about and not marijuana when you can't overdose over that you're not violent over that and I feel like you are talking about halfway houses and that's kind of indicating that our Town is some low level kind of Town and it doesn't make any sense. It's ineffective and inefficient that's why many states are legalizing it and that's why it's better to make money back off of it. What you are saying I'm hearing that the smell etcetera I mean there's still going to be a way for our children to get it and it will be underground and they will get it through the black

market so you might as well have something in Town or a manufacturer or dispensary whatever it is that can regulate that and you know exactly what is in that instead of getting it underground and it possibly be laced with fentanyl etcetera. I think you should maybe instead of talking to each other I think you should talk to people who have benefited from it for like PTSD, depression, anxiety so I think it's a good initiative and I think you're doing the right thing to let businesses make the revenue and try and make money back for our Town to make it better.

Council President Mazzer - Is there anyone else who would like to speak, seeing no one can I have a motion to close.

Motion: Councilman Gierak

Second: Councilwoman D'Arminio

Roll call:

Councilman Cimiluca – yes

Councilman Gierak – yes

Councilman Accomando – yes

Councilwoman D'Arminio – yes

Council President Mazzer – yes

Mr. Suarez – Madame Chairperson there are two typos in the ordinance which is no big deal and they are going to be changed after the meeting and before publication and they are minor in nature.

Council President Mazzer – Thank you.

COMMENTS

Mayor White – I have a breast cancer awareness proclamation that I would like to read. Whereas October is National Breast Cancer Awareness Month and National Mammography Day is always the third Friday in October. Whereas for women in the United States breast cancer is the most common form of cancer except for skin cancers. Every woman should know the risk and what they can do to help lower them. A mammography can detect breast cancer up to two years before physical symptoms can be seen or felt. Death rates from breast cancer have been declining and these changes are thought to be the results of treatment advances, earlier detection through screening, and increased awareness. Now, therefore be it resolved that I, Robert D. White, Mayor of the Township of Saddle Brook New Jersey do hereby proclaim the month of October as Breast Cancer Awareness Month. I encourage our residents to become educated and informed about programs and services that offer early detection and to also celebrate the survivors and memorialize those who have lost their battle. Signed and sealed this 6th day of October 2022.

I would like to talk briefly about COVID 19 and give an update. There's been an eleven percent decrease for this week and the whole month so it's declining. The CDS still deems nine counties as medium risk and Bergen County is one of them. The state positivity rate for tests that have been conducted recently was 12.48 which is substantially lower than its peak of over 40% on January 1st 2022 during the height of the Omicron variant. More than seven million people in New Jersey have been fully vaccinated and almost eight million have received the first dose since the vaccinations

began back in December of 2020. More than 4.29 million people in the state eligible for boosters have received one.

The road program that we have and I'd like to ask Bob Klein our engineer to give an update especially regarding Schepis Avenue we had a little problem where we were about to pave we did the concrete and PSE&G came in without our knowledge and without notifying us they're going to do the gas main and all the services to the house on Schepis and it is a fairly long street. That's going to take until December so we will not get that paved this year. The good thing is we're getting new gas mains which is a good thing because we won't have as many gas leaks and we don't want to pave the road and then have to dig it up so that's an issue and also I'd like you to address the speed humps.

Mr. Klein – That one contract which includes Schepis, Graham Terrace, Skillman Terrace, Spindler Terrace the concrete work is complete for Schepis, Skillman and Spindler. They just started today on Graham Terrace once that is done they'll pave Graham Terrace, Skillman Terrace and Spindler Terrace Schepis Avenue because of the Gas Company they're going to be there until December it would be best to wait until spring to pave Schepis Avenue. Phase II of the road program consists of that whole area North and South Boulevard, Adriana Street the contractor has begun concrete work over there so once that's done that will be milled and paved that should be completed this year. The other road that's slated to be paved this year is Mayhill Street Phase II from the railroad tracks south past the new municipal building that will be done during the Teacher's Convention in November. This way it doesn't interfere with the High School. Also part of the road program Garden Street, Kenwood Court and the new municipal building parking lot have already been paved. That's it.

Mr. Klein excuses himself as he needs to leave early.

Mayor White – I want to talk about the ordinance amendment that was discussed here a few residents brought it up. What this is in regard to is an amendment to the zoning part of the cannabis ordinance regarding manufacturing of cannabis so my friend Katie I think she misunderstood we have authorized retail and that's not what this ordinance has to do with. It has to do with manufacturing which is a whole different process. A request was made to amend this ordinance the amendment was reviewed by our Town Planner who stated that permitting manufacturing in certain blocks of the B2 District will provide new opportunities for economic development that previously limited strictly to business districts commercial business. In August, the Council voted to amend the ordinance so that manufacturing of cannabis to permit class 2 cannabis manufacturing operations with up to five thousand square feet in the B2 Business Zone adjacent to Route 46. They also permitting class 2 manufacturing operations larger than five thousand square feet in the I industrial zone so that was the amendment. The Township Planning Board had to review these amendments and they did make the recommendation as Mr. Rodriguez had said to require a cannabis manufacturer to be at least a thousand feet from a residential zone and also from property to property. The proposed ordinance that we have in front of us now requires five hundred feet. The question really is that we have to ask ourselves is whether the ordinance is too restrictive as some people believe certainly businesses that want to operate and do manufacturing like it or is it not restrictive enough some of the residents are rightly concerned about the odor about being too close to schools too close to residential areas. What I've been thinking about is and we talked about this a lot Mr. Cimiluca brought this up and he was right in the sense that if we're going to allow manufacturing

there's got to be someplace to manufacture so if there's no place to manufacture then why are we allowing it but I think we can spin that around and say why are we jumping through hoops of fire to make it available when we're potentially affecting residents by doing this. I think we have to reconsider that part alone maybe just say we're not going to allow manufacturing in Town. I think we have to look at that possibly. The Township Planner also stated in his report which I found interesting and it makes sense when the Planning Board reviews applications for proposed cannabis manufacturing operations there should be a focus on conformance with other regulations concerning noxious odors, smoke, airborne particles and waste discharge. That's what the residents are concerned about and I don't know enough about ventilation systems can they contain it I don't know but those are all questions I would like to see answered before we go forward and pass this ordinance but it's up to the Council and we have spoken about it at length so that's my opinion.

We have a lot of events this month. This weekend we have the Township Garage Sale on Saturday the 8th and Sunday the 9th. Monday is Columbus Day and we're closed. Thursday October 13th we have our candidate's night 7 pm at the Senior Center all four council candidates have agreed to attend and that will be videotaped and live streamed. We have a big for us and we're looking forward to it on Saturday the 15th we have our Grand Opening from 12 noon to 4 pm at the new building. On Sunday October 16th is the Out of Darkness Walk at the park 9 am. On Saturday the 22nd we have a paper shredding event 9 am to 1 pm at the new building 55 Mayhill Street. Sunday the 23rd is Chicken Bingo at 12 noon. We also have Fire Department Charlie Cerone and Frank Kasetta having 50 years of service at the Fiesta. On Tuesday, the Senior Halloween Party is at 6 pm at the VFW. Last but not least we have the Trunk or Treat 12 noon to 2 pm at the new building 55 Mayhill Street and we also have another Fire Department Anniversary Party for Ray Abel and Joe Schilp 6:30 pm at the Fiesta for 50 years of service. The last day for voter registration is Tuesday October 18th. You can register on line very easy you go to vote.nj.gov and register on line. We also had on September 24th all fire companies responded to Birk Street for a shed fire that extended to a second shed and then the rear of a private dwelling thankfully no one was injured and the house was saved. I also want to thank mutual aid towns that responded and assisted. Some of the firehouses Rochelle Park, Elmwood Park went to the scene and assisted along with Saddle Brook Volunteer Ambulance Corp I want to thank them as well. Companies from Lodi, Garfield and Fair Lawn stood by our firehouses. Overall a fantastic job the Fire Department got there quickly and was able to put out the fire and no one was hurt and limited the property damage. This month is National Italian Heritage Month the whole month of October it coincides with Columbus Day which is a National Holiday celebrated on the second Monday of the month. Italian American Heritage Month celebrates the distinguished cultural contributions of Americans with Italian lineage. UNICO also has their Columbus Day ceremony at Welcome Road Monument 9 am this Saturday October 8th. September 15th to October 15th is Hispanic Heritage Month we're celebrating the history, culture and contributions of America's citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America. I just want to shout out to my friend a good person Pete LoDico. Chief Kugler mentioned him he's a big part of the fabric of this Town he's worked here he was a former Mayor in the 70's and I personally owe him a great debt of gratitude because he's helped me out tremendously with being the Mayor and being in charge of the Town he's a great guy and always has the best interest of the Town at heart so God bless you Pete and get well soon.

Councilman Cimiluca – Good evening a couple of mistakes or misrepresentations first of all we're all Township residents we all live here raised our kids here and continue to raise our kids here. When something goes on in Town it affects us just like it affects you. Marijuana was a big issue and it's no secret that when the whole marijuana legalization came out there were a number of us that were not in favor of it I don't want to name names but the majority of the Council was not in favor of legalization however New Jersey voted on it and they voted on it overwhelmingly to pass legalized marijuana not just medical marijuana but recreational use of marijuana. That was the people speaking and Saddle Brook it may be a little different. If Saddle Brook came out and it was although the state voted seventy thirty in favor of it Saddle Brook was twenty percent to eighty percent in favor of it but Saddle Brook pretty much was along the lines of the state. It was about seventy thirty maybe I'm missing a couple of percentage points but the vast majority of Saddle Brook was in favor of the legalization of marijuana. After that happened we even though there were people that were against legalization we could not ignore that the people of Saddle Brook were not against it they were in favor of it and it was a great potential financial opportunity. We do get a percentage the Township will get a percentage of sales from the three of the five types of operations involving legalized marijuana. That would be cultivation, manufacturing and retail. A certain percentage Mr. Rodriguez was a hundred percent correct that some of the monies that are paid through the pot tax has to be put to a certain kind of bank for social causes which is wonderful. What we have done is we have approved three of the five types of operations here and we have issued not licenses there are no licenses just to set this straight there have been no licenses issued to anyone any person or any entity in the Township of Saddle Brook.

Mayor White – Mr. Cimiluca that's not true Mr. Desmond here from Best Budz he got conditionally approved for retail just recently.

Councilman Cimiluca – From the Township?

Mayor White – No not from the Township from the state.

Councilman Cimiluca – That's what I'm saying. Number one they have to get a license from the state so they have to go through the state. After they get a license from the state then they come to the Town for approval from the Town. What we did was we got letters of recommendation or support. We issued that to three different applicants for retail and three different applicants for cultivation. I don't believe we've given any to any manufacturing outfit so there are no licenses there and there are no locations that have been identified so when it's said this is where something is going to be potentially it could be but there's no license that has been given to any person or entity and there's been no license given for any location within the Township. When it was said about the B2 zone we went over this and we did it people say we're rushing we went over this with the Planner and it was identified that certain parts of the Route 46 corridor and some other sections were appropriate for certain types of operations so we limited it to it. I don't agree respectfully that once somebody opens up along this Route 46 corridor that means that the entire B2 Market Street anyone could come in. There are available different areas that can be located that our Affordable Housing District we have a district set aside for affordable housing people can't come in and say well it's in a certain zone and therefore we can open up affordable housing anyplace. We designated certain areas to do this now people ask why the change for manufacturing well one of the goals

of the whole cannabis legislation was to give opportunities to those who haven't had opportunities in the past minority owned businesses female owned businesses what has come to us is that the manufacturing and cultivation are generally very large operations and what's found is that those very large operations are controlled by people who generally are not minority based. The smaller and we termed it it's not really a term but we call it micro manufacturing would open up opportunities for those type of applicants. It's limited again to 5,000 square feet it's not going to be a large operation and that would give some people the opportunity who can't afford or don't have the financial backing to open up a 50,000 or 100,000 square foot facility. It would be a small, limited operation. From what we have been advised and did a little research on my own these manufacturing operations are not open to the public. You can't walk into them. There's not going to be any kid walking by and see an assembly line of gummies being produced they're not open to the public. There's security that is required to be at the facility, most of them don't have names or signs it's not something they want to advertise because they don't expect any traffic. There is no traffic expected there other than a delivery coming in or going out. In terms of where this would be it could be a number of different places but I know that people have been focusing on one area that's along Route 46 near Mattress Firm or whatever it's called now. I checked it out and it hasn't been sold to anybody the owner is not doing this but I understand there have been inquiries into that kind of property and from the houses of the two people that live on Madison I checked and it's approximately 1400 feet as the crow flies from their house and in between there there's a concern about odor and I understand that a hundred percent but in between there there's McDonalds, Moe's Southwest Grill, Frank's Pizza, the Chinese Buffet I don't know what kind of odors you get from those facilities but it's got to get from that place past all the other odors to get to you. What I did was because I knew this was coming up over the last couple of days I spoke to one of the issues is that in New Jersey there really isn't any manufacturing operations there's not a lot of retail and there's no manufacturing that I could find so far. I spoke to Derek Holcum he's the head of the neighborhood services in Greenwood Village Colorado. I spoke to Brian Rushie who is a Community Development Director in Palisade Colorado. I spoke to Patrick Waller who is the Community Development Director in Rifle Colorado and today I spoke to Hannah Klausman the Assistant Director of Community Development in Glenwood Springs Colorado. They have facilities there and I asked them this is a concern of our citizens and Council we're concerned about quality of life is there quality of life issues that have arisen since you've approved facilities within your district and all of them said no. I'm not going to lie to you did they say on a couple of occasions there was a complaint about odor yes and what they did was because we will have the power once this is done we're talking about the ordinance doesn't contain any provisions about ventilation but it's not the place for this ordinance it's a zoning ordinance. What they said was when we give the license we can put restrictions in there. Now again the state is going to they're going to be the number one people on this they're going to have their restrictions and we can go and give additional restrictions and requirements for the type of ventilation system that's needed and everyone has said because Colorado has had this for a number of years everyone has said as it gets newer as the facilities are constructed the technology is getting better so when they put it in the facility now it's ten times more efficient and stopping the noxious odors I guess when they started it might have been a skunk factory but it's ten times better now and it's getting better all the time like your cars are more fuel efficient now then they were the gas guzzlers we drove when we were kids. All of them have indicated that it wasn't a problem that they didn't have a decrease in the quality of life

and that satisfied me in finding out about what's going on. There was an article also for people that worry in the Star Ledger where Rutgers did a study and the sale prices of homes that had agreed to allow cannabis facilities in their towns actually went up they didn't decrease. They didn't go up a heck of a lot but they did go up. The key point that I got out of the article is they didn't decrease so in terms of quality of life it didn't have an adverse affect on property values. There was a claim that there wasn't any talk about revenue in the ordinance again the ordinance is a zoning ordinance it's not in their spot to do that. In terms of the Planning Board we appreciate the Planning Board they are volunteers and they do a great job. The purpose of the Planning Board in something like this is to make recommendations. The first thing they came out with that doing this is not inconsistent with the Master Plan. They did have some recommendations about the distance they didn't say why they didn't say if there was any data to show that odors travel more than 500 feet or the 1000 feet prohibition would increase the quality of life they just said we think 1000 feet is better. The problem with distances and putting it like that basically what would happen is you would zone it into what's called inutility. There would be no place that anybody could do this type of work which has been approved by the Town so like the Mayor said you're approving it but at the same time you're saying that in a Town that's two and a half square miles that there's one building in Town that might be able to do it. It didn't make zoning sense and it didn't make economic sense. That's all I have to say on that again we appreciate the concerns of everyone but what we're doing here is not directed to any one person or one place. This is for anybody who has been approved or has been supported by the Township and then they have to get their license from the state and then come in and get licensed and when they apply for their license that's when there will be all of the requirements are going to be put in there. It's not just okay you want a license here it is and we have nothing to say about it. We have a lot to say about what's going on before a license is issued. In terms of rushing personally I don't think this is what we would consider a rush job. An applicant came in and made a suggestion in a July meeting. In August, a month later a first reading was made to make the amendment. In September this ordinance was tabled because it hadn't gone to the Planning Board and now it's October so to say it's a rush job this has been on the table pretty much in the notes in the minutes on TV since July. Lastly it was nice to see the Chief God bless you and good luck in what's going on and again same thing God bless and good luck to Pete who's a good friend and one of the pillars of the Township.

Councilwoman D'Arminio – In regards to the cannabis when you say it was a rush it wasn't. We haven't given out any resolutions for manufacturing.

Mr. Suarez – That's correct we've only given them for cultivation and retail.

Councilwoman D'Arminio – This is something that came like Councilman Cimiluca said in July. We talked about it it's all about for me I was against it my husband's a retired policeman but then there was the issue that if we didn't do it, it would be five years before we could consider having it come into Town. That changed my mind because seventy percent of the people voted for it and we felt that they want it and it's something good for the Town it's going to give us some more money to come in and I changed my mind. I still do think that the revenue will be good for the community and also it is restricted if we change it to the 1000 feet there's nowhere it could go so there would be no point in even endorsing a manufacturing if we change the ordinance. No licenses are issued and there will be lots of restrictions so that's why I went along with this. On the

other note I want to talk about next week because it's short notice a lot of issues with the building last minute with supply chain problems but we are going to have the Grand Opening on Saturday from 12 to 4 it'll be more of a preview we are going to cut the ribbon and everybody will be able to get in and take a walk through because you've been watching it for eighteen months and I'm sure the residents would like to get in and see what's going on. I would love to see all of you come the basketball court is amazing the offices are amazing too. Recreation has been something, I moved here at ten years old and I stayed I love this town. We've talked about recreation for years and we were lucky enough to have the opportunity to get the property and make this happen. I would like to see all of you come out and take a look thank you.

Councilman Gierek – The Flood Committee met on Tuesday September 27th in attendance were Emil Sudol, OEM Coordinator Tom Dickman, Councilman Todd Accomando, Marcy and Paul Gagliotti from Saddle River Court and myself. Items of discussion were flooding along the Saddle River and possibly contacting the County to open the valves to release water from the pond prior to a flood event. We also discussed contacting Monica Mianeki from Mianeki consulting to check our status with the FEMA Community Rating System. We discussed flooding on Saddle River Court and the great job the DPW did with cleaning up catch basins to relieve any flooding there. We also discussed OEM looking into securing a high water vehicle in the event of a flood emergency. A future date has yet to be determined for our next meeting. In regards to the manufacturing ordinance I have concerns about the proximity of the manufacturing of marijuana to residents and Franklin School that are both nearby. I had asked for more information regarding other communities in the state that currently have these facilities this information was never provided rather than moving forward with this ordinance I believe we should table it until we have all the necessary information made an educated decision and we could guarantee our residents that they'll be no negative effects in regards to the odor. I ask my Council colleagues to carefully consider their vote and not make a decision we may regret later thank you.

Councilman Accomando – Last week we had the UNICO Street Fair considering the weather I think it was well attended and I just wanted to thank UNICO for bringing it back every year and I hope they continue to do so. OEM CERT we're looking for members whether you did applications in the past or you're afraid to do so contact myself, Tom Dickman or you can even reach out to the Mayor if you're that interested. Trunk or Treat we are also looking for volunteers for Trunk or Treat if you've never done it it's a great turnout its good for the kids it's good for the community it's just a good time all around. The marijuana issue people sit here say they know me you don't know me you don't work with me you don't live with me I voted no for this ordinance when it first happened. After that I did my homework I talked to people I listened to people I talked not only to potential business owners I talked to people that are users. Yeah I'm in law enforcement I deal with people that are addicted to opioids, cocaine, crack, alcohol if you've never seen someone detox from any of those I suggest you Google it watch it and then you'll have an understanding of why I changed my view instead of saying do the right thing it's election year. It is election year I don't only do the right thing during an election year I do the right thing all the time. I have been the same person since the first day I got elected eight years ago haven't changed. You want to talk to me you can talk to me I'm very transparent I'm empathetic I'll listen to you I can talk all day and all night but you put a camera in front of me I honestly don't like this that's just the way I am. I listen to these people I've seen people throughout my work career eighteen years

overdose you said oh it's just an inmate it's an inmate to the guys that are working there but it's someone's family member it's someone's kid. It's not a good feeling when a guy you've been working hand in hand with doing good for the community gets released two days later you get a phone call from his family saying that he or she overdosed. It's the worst thing in the world yeah I'm an officer but I have a heart that's somebody's kid. With that being said it's better to get the marijuana where it's regulated so you know it's not going to be laced other than getting it on the street. To go back by doing my homework it is beneficial for people who have opioid addiction it's a proven fact marijuana is the only thing right now that can help anyone that is addicted to opioids to get off of the opioids to get a better sense of their own life. It wasn't an easy decision for me being in law enforcement and saying oh well they chose that road some people don't choose that road sometimes they're weak minded they don't know what else to do the only thing they turn to is the drug maybe they never got the love at home the care at home so if this is something I feel personally could help someone I'm all for it. If it's going to be an oh well it's an election year listen I don't care if it's an election year or not I do the right thing all the time. I don't need to be up here making the minimal money we make I do it because I like it I like giving back I enjoy it. With that my vote will be yes for the ordinance because it's going to bring revenue back and it's going to help people and that's the way I see it. The way some other people might see it's a different view for me but like the young lady who was up here before, before talking about it do your homework educate yourself on it I might be wrong with some of the stuff but I educated on stuff that I wanted to know about. We'll see what happens and then listen is there a chance it could blow up in our face yeah is it a chance it could be the best thing that happened to this Township yes so I sat up here for eight years some for more we all I can't say I've done everything for the Town we've all done the right thing for the Town. Do we have our differences yeah try coming to a work session when it's closed session well you can't but we have arguments but we're all adults here we talk it out we review things and if it's not meant to be it's not meant to be. Sometimes all five of us have an opinion one person will be different unfortunately that one person doesn't make a difference unless you're a team. I just wanted to get that off my chest and that's just the way I feel. Happy Columbus day UNICO is having a Columbus Day ceremony Saturday at 9 am Welcome Road it would be nice if people showed up to some good things in Town and please support Mr. Hayes it's a great cause thank you.

Council President Mazzer – I want to address Mr. Hickey and Mr. Rodriguez thank you for bringing my business into this I can reassure you I've been in this business for 35 years with children I will always have their best interest at heart not only them but all the children in this Township and our residents. I've done my homework I've listened to pros and cons of everything and I'll vote with my head. On a side note my facility specifically since you brought it up has one of the most state of the art air infiltration systems. On one side I have Burger King and I have Kentucky Fried Chicken and everything else on Market Street we smell nothing in there so just be reassured that our children are well taken care of. Chief it's great to see you appreciate all of you years and thank you for coming to our meeting tonight and our council candidates, Mayor and Board of Ed wish you nothing but the best. It takes a lot to put your name on that ballot and thank you for stepping up to the plate. Last and of course not least a shout out to Mr. LoDico our buddy Pete wish him nothing but a full speedy recovery and like everyone said he'll always be Mr. Saddle Brook thank you everyone.

ORDINANCES

1. ORDINANCE #1726-22 – FINAL READING

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY AND SUPPLEMENTING CHAPTER 206 OF THE TOWNSHIP CODE REGULATING THE OPERATION OF SPECIFIC CLASSES OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES

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

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - yes

Councilman Gierrek - no

Councilman Accomando - yes

Councilwoman D'Arminio – yes

Council President Mazzer – yes

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

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY AND SUPPLEMENTING CHAPTER 206 OF THE TOWNSHIP CODE REGULATING THE OPERATION OF SPECIFIC CLASSES OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES

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

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - yes

Councilman Gierrek - yes

Councilman Accomando - yes

Councilwoman D'Arminio – yes

Council President Mazzer – yes

Council President Mazzer – The meeting is now open to the public anyone wishing to be heard?

Kevin Hickey from 270 Madison Avenue comes forward. I just want to bring up again we're talking about Franklin School it's also Lodi High School and field is right there and everyone keeps saying there's no locations but there is there's Zuckenburg's but Michael D'Agostino says no I don't want this crap in my facility and I'm pretty sure that's how it went. My other question is you're talking about a lot of different things did anyone contact the Fire Department what kind of chemicals do they use flammable wise did

anyone contact them to review this with them because they are the ones that would be putting their lives in danger to put the fire out. Once again I commend you Mr. Gierrek smart man I appreciate you. Councilman Accomando I know in the August meeting you at one point said you were totally against this but what happened was now you're pushing to rush this thing and the manufacturing is the thing I'm most offended by and being in law enforcement I mean not only are you pushing this manufacturing part of it but what you're doing is you don't give a crap about me and my home that's right there or any of the other businesses and yes I do smell McDonalds and I do smell Frank's Pizza and I do smell the garbage from all the stores in there and I know one time they passed an ordinance they can't collect garbage at Wal-Mart until eight in the morning guess what they're in there 3:30 in the morning collecting garbage guess what we do nothing about it. I can deal with that that's okay but the smell of the weed I'm just not into it. Let's call it what it is its dope right. People say I don't know what I'm talking about no I'm a recovering drug addict and alcoholic I haven't done drugs in about thirty three years but I know all about it. Weed is a gateway to bigger drugs you can say whatever you want I know I lived it. That being said how you all vote all I can say is shame shame your making this Town a crappy Town it's unbelievable that you're not giving this better thought and if it was just retail and maybe cultivating some of us could swallow it but the manufacturing is what's driving everybody nuts we don't want that smell thank you.

George Cedeno of 264 South Lanza comes forward. Not to beat a dead horse but I have a different perspective. The way I see it we're here to vote on the ordinance for the distance and I get that but as a business owner myself and understanding capitalism sometimes when you find a spot to open a business it happens and sometimes you go to certain Towns and you don't and I get it. You're trying to condense the square footage the distance so you can allow future people to come in here. I'm sorry to tell you but that right there looks like what's called regulatory capture meaning whatever special interest that approached you in order to change this ordinance has captured the regulatory body of this Town and has forced or pressured the Council to change the ordinance to benefit whoever it is that wanted it. Now you just set the precedent of changing ordinances so now I'm going to make a request to change an ordinance if I want. Did anybody petition who was it that came up to you and said we need to change this ordinance because now what I want to do is make a motion get a petition to create an ordinance for using any type of cannabis products in any form any use on public roadways, streets, anywhere near any public facilities anything like that. If we're going to do and act on laws and ordinances that are hyper progressive then we need to put them in confines of conservative thought so we'll do a tit for tat and we'll do a trade. You're going to go ahead and open up manufacturing in Town then I want to control the usage of it in Town because I don't want people walking up and down smoking pot using whatever so we have to have a balance this is skewed one way and right now what it's looking like and I'm sorry to say and it's not on me it's more for you all but the perception is conflict of interest and I'll leave it at that thank you.

Bill Gula of 260 Hillside Avenue comes forward. What I am going to say is similar to what I said before I don't like it either. There has been a lot of thought here we've listened to the Council and your opinions my personal belief is it's a dilemma. It could have been tabled didn't get tabled however in order to get things tabled I would think there would need to be a big majority of people that said yeah that's a good point you know what I hear you there to come to some sort of indecision say let's sit on this but when you get to a point where you have something that's come before a Council and

you're speaking for the entire Town and you need to weigh that all out things are going to happen. I didn't see a hundred percent agreement on the Council for this ordinance but I do see a concerted team that says you know what you win some you lose some and we move forward from here and that's what we do and I think that's what we do in this Town. When it comes to things like marijuana, pot, cannabis, the rules, New Jersey breathing down my throat you guys are here for this Town. Mr. Cimiluca said before and he was right the state says if we want to modify this or that we can and that's true. If we're going to make revenue from this and the revenue is regulated from the state to begin with then we have an opportunity to modify that further and say you know what the smells I get it I'm on Hillside Avenue. My grandkids go to daycare on Market Street and yeah I smell Burger King but my point is we don't have to belabor an issue here. I understand the gentleman he is a hundred percent correct in particular if you're in recovery over thirty years. We all know people including some family members we've lost family members to certain things like this. Law enforcement officers certainly look at this every single day. Educators look at this every single day. They try to get kids to do something this way or that way they wonder about the kids' parents what are they doing. Now you got a Council here that's got this against them or before them is a better way to say it so the Council is going to sit here and say how do we weigh this out am I here for the Town yes that's why I'm here in my thankless job. In my opinion is pass the ordinance and keep on rolling and look at what comes before including all the residents and including opposing opinions then you look at them and you say like yeah we win some we lose some I don't see us losing on this one I really don't not with the watchful eyes that are upon it. If you weren't monitoring it and looking at it that would be one thing but I see a bunch of people that are saying like okay we do it and we look. I look at who puts out their garbage in the morning I look at who speeds up Hillside Avenue every day I live there.

Janae Ferguson of 321 Eighth Street comes forward. I would like to thank you for having a discussion and considering everyone's opinions and I'm one who's for it because regulation to me would mean it would be safe it would be the difference between someone next door to me manufacturing the drugs and my children having to be subjected to some illegal things that are there. I look at the history of the cannabis from being in this country there's always been a negative connotation rooted in different perceptions and I think if we have facts and we have the education to say that it's not what it's not what it's been negatively produced to do or the negative connotations that have gone along with it and we're looking at it factually and something that will drive revenue. If we can make sure that the children have what they need because of the tax that will be on there go for it. Thank you.

Omar Rodriguez of 275 Madison Avenue comes forward. Council President with all due respect I've been sitting here for a few months there's been cases during the public portion and also during the meeting or the end of the meeting and people are being allowed to speak for fifteen, twenty, twenty five minutes, thirty minutes even an hour in some cases I don't know why this problem that is not beneficial to some residents have to be time out?

Council President Mazzer – Where have you ever seen me allow someone for an hour?

Mr. Rodriguez – I've been here on the street the private street. I've been here for the drug dealing and everybody was talking back and forth not even coming to the podium and again that's because we care about the Town and I believe when it's something important you have to give some leeway to the time. If I spend one or two more minutes that's all I need because I need to clarify and I agree with some of what Councilman Cimiluca said today but he actually opened the door for some of you to look at it. First I'd like to address Councilman Accomando I don't know why you went that way but I don't believe anyone is criticizing you for the way you voted.

Councilman Accomando – I'm just letting you know that's why I changed my mind.

Mr. Rodriguez – I believe that all of us are missing the point right here the opposition is not to the ordinance itself but we are in opposition to the amendment not to void it or cancel the ordinance that Saddle Brook is allowing to manufacture it. There is nothing wrong with a class five that is resale to the public what we are discussing here tonight is class two which is manufacturing. Councilman Cimiluca just stated so well that in the state of New Jersey there's none you know why because no municipality wants to take a chance until they see someone else. Why does Saddle Brook have to be the first one? Why does Saddle Brook have to be the one that's going to be experimental? There's no one in the state of New Jersey a lot of towns allow class five which is the resale to the public and again I'm not against class two all I'm saying leave it in an industrial area even if it's under five thousand feet like Councilwoman D'Arminio stated. It might be difficult for some people or the person that came here from Route 46 and made the application back in July yes it's a remedy even if you stay on industrial area that person or that applicant can go to the Zoning Board and it will be better for you and all the residents you know why because when they come to the Zoning Board they have to explain first what kind of lighting your going to use are you going to have security who tells me how many times the police are going to be called because they break into the place because they are going to manufacture there. The same place they may be for retail but the Zoning Board will ask for more questions. Councilman Cimiluca took the job to call other states but Colorado is not New Jersey Saddle Brook's New Jersey. There's no one who can tell me where is manufacturing why do we have to take the first step and it's not if we give the resolution of recommendation it's not going to be five years they don't approve it and they can operate soon as soon as they get a license they can just put it together. You're right it might be thirteen hundred seventy two based on the mattress place however on the lot also I believe is a dry cleaner and the dry cleaner from door to door for residential is less than five hundred so then again somebody they want to do manufacturing where there's a dry cleaners on Route 46 they can do it. My problem is what you are reading here you're not even taking the recommendation from the Planning Board. Just one line I'm going to read what the Planning Board is recommending to you. It says shall only be permitted no it should read shall only be permitted it's a big difference. Mr. Rodriguez explains the other typo in the ordinance. He recommends that if they want to manufacture they should go to the Zoning Board so they can ask the right questions.

Robert Kugler of 311 Fifth Street comes forward. I've been in law enforcement for nearly forty years and I've been the Police Chief here for twenty eight of those years. I think I share the sentiment of law enforcement and most on this Council that marijuana was not a good idea I personally didn't think it was a good idea to legalize it but in 2019 New Jersey introduced it into a law and we have to live with it. I think the Mayor has said it I

think Councilman Accomando has said it I think this whole Council has said it that not a good idea as a matter of fact right before that you didn't want marijuana businesses in Saddle Brook and then we changed tunes and I understand that sensitivity. Now we allow certain people to get licenses and have retail operations here in Saddle Brook so people are going to be able to go into a store just like Rochelle Park and everywhere else and buy marijuana. Now there's a manufacturing module here that seems to be just thrown in there last minute and there seems to be a self interest there and I'm just concerned about that. My main question is where is law enforcement where is the Town of Saddle Brook Police department have they been asked for a report have they been asked to review this where are they because if I was the sitting Police Chief and I am but I can't come to the door and knock on the door but I can come here to this podium as a resident and say to the residents of Saddle Brook Township Council reconsider what you're voting on tonight reconsider until you get the parameters of really what you're doing about bringing a manufacturing business in especially against what the Planning Board has said. The Planning Board has said we recommend I understand you don't have to take the recommendation so a thousand feet is recommended why don't we look at that and maybe mull that around for a month or two. I'm going to guess and I did research on this ordinance and I know when it was rushed and introduced at the end of the August meeting two abstained and three voted for it to introduce it and now today and if it goes the same way two abstain and three vote and possibly two for the three that vote in favor may not be at least one's not going be here after the election maybe two won't be here. We have all three candidates I'd like to get them in their mind set you come up here and say yes we're going to vote in favor of it if we win then it takes away that argument. It's possible that two of the three votes that want this ordinance that impact the Town of Saddle Brook has people that may not be there. The two new members would have to take the wrath of the citizens that may be impacted. I'm close to Route 46 I don't know why this is rushed and my gut feeling is it was already put in motion that we have to move this thing and it's at the end of the year a rushed introduction and now a solidification of this ordinance for some private entrepreneur that wants to manufacture marijuana in Saddle Brook first in the state I think it's a bad idea and I think you should research the hell out of it before you vote on it. I hope the Council takes my opinion and comments before they vote tonight.

Council President Mazzer – Anyone else? Seeing no one, the Council President asks for a motion to close.

Motion: Councilwoman D'Arminio

Second: Councilman Gierak

ROLL CALL:

Councilman Cimiluca - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman D'Arminio – yes

Council President Mazzer - yes

CR# 1022-130

Be it resolved by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY AND SUPPLEMENTING CHAPTER 206 OF THE TOWNSHIP CODE REGULATING THE OPERATION OF SPECIFIC CLASSES OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES** does now pass on second and final reading and that the Township Clerk be directed to advertise said Ordinance or Title thereof, in the press, together with a notice of the date of passage of said ordinance according to law.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

ROLL CALL:

Councilman Cimiluca - yes

Councilman Gierrek - no

Councilman Accomando - yes

Councilwoman D'Arminio – yes

Council President Mazzer - yes

MINUTES**1. September 1, 2022 – Regular Public Meeting**

Motion: Councilwoman D'Arminio

Second: Councilman Gierrek

Roll call:

Councilman Cimiluca - yes

Councilman Gierrek - yes

Councilman Accomando - abstain

Councilwoman D'Arminio – yes

Council President Mazzer - abstain

The Township Clerk announces the consent agenda and reads the following.

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.

Council President Mazzer asked for a motion to approve.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - yes

Councilman Gierak - yes

Councilman Accomando – yes

Councilwoman D'Arminio – yes

Council President Mazzer - yes

*** RESOLUTIONS**

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1022-131

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>
POLICE	PARKWAY PAVING	PISTOL RANGE IMPRV.	\$6,750.00
ADMIN	PICERNO GIORDANO	SWINGS PLAYGRND MAYHILL	\$59,527.00
ADMIN	TRIMLIGHT SELECT	LED ACCENT LIGHTING	\$9,870.00
FIRE DEPT	AAA EMERGENCY SUPPLY	WASHER/DRYER	\$17,355.00
ADMIN	ALL BERGEN LOCKSMITHS	KEYS & LOCKS	\$15,150.00

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman D'Arminio – yes

Council President Mazzer - yes

I hereby certify this to be a true resolution adopted by the Township Council at its Public meeting held on October 6, 2022.

Peter Lo Dico RMC CMC
Township Clerk

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1022-132

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 **\$4,941,129.98** PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman D'Arminio – yes

Council President Mazzer - yes

I hereby certify this to be a true resolution adopted by the Township Council at its Public meeting held on October 6, 2022.

Peter Lo Dico RMC CMC
Township Clerk

**THE TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1022-133

WHEREAS, there is a need for the appointment of a temporary Administrator/Clerk for the Township of Saddle Brook; and

WHEREAS, the Township Council appoints Maureen Ruane working as NJ Community Solutions, LLC for a salary not to exceed \$70,000.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman D'Arminio – yes

Council President Mazzer - yes

I hereby certify this to be a true resolution adopted by the Township Council at its Public meeting held on October 6, 2022.

Peter Lo Dico RMC CMC
Township Clerk

THE TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1022-134

WHEREAS, the Township of Saddle Brook is presently in receipt of a contract with the Borough of Lodi related to a shared services agreement for the use of various Department of Public Works Equipment and Services on an as needed basis; and

WHEREAS, the members of the Township Council wish to authorize the Mayor and/or any other Township official to execute and effectuate said agreement;

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby authorizes the Mayor and/or any other Township official to execute a shared services agreement with the Borough of Lodi as the same is in the best interests of the residents of the Township of Saddle Brook.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman D'Arminio – yes

Council President Mazzer - yes

I hereby certify this to be a true resolution adopted by the Township Council at its Public meeting held on October 6, 2022.

Peter Lo Dico RMC CMC
Township Clerk

THE TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 1022-135

WHEREAS, the Township Clerk/Administrator is being placed on administrative leave at this time; and

WHEREAS, the Township Council has previously appointed Maureen Ruane working as NJ Community Solutions, LLC for a salary not to exceed \$70,000.00 at the rate of \$160.00 per hour, until such time as the Township Clerk/Administrator returns of the end of the year, whichever occurs first;

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Saddle Brook hereby places the Township Clerk/Administrator on administrative leave until further notice; and

BE IT FURTHER ADVISED that Maureen Ruane shall serve as temporary Administrator/Clerk until further notice.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll call:

Councilman Cimiluca - yes

Councilman Gierak - yes

Councilman Accomando - yes

Councilwoman D'Arminio – yes

Council President Mazzer - yes

I hereby certify this to be a true resolution adopted by the Township Council at its Public meeting held on October 6, 2022.

Peter Lo Dico RMC CMC
Township Clerk

*** CORRESPONDENCE**

- | | |
|---|---|
| 1. CAPTAIN ZOTOLLO / OFFICER IN CHARGE
TO: PETER LO DICO | RE: TRINITY SOLAR
DATE: SEPTEMBER 15, 2022 |
| 2. CAPTAIN ZOTOLLO / OFFICER IN CHARGE
TO: PETER LO DICO | RE: NATIONAL COINS & JEWELRY
DATE: SEPTEMBER 6, 2022 |
| 3. MR. KLEIN, REMINGTON & VERNICK
TO: PETER LO DICO | RE: EMERGENCY SINKHOLE REPAIRS
DATE: AUGUST 23, 2022 |
| 4. MR. KLEIN, REMINGTON & VERNICK | RE: FY 2021 MAP – MAYHILL ST. RD PHASE |

II

- | | |
|--|---|
| TO: NABIL AYOUB | DATE: SEPTEMBER 26, 2022 |
| 5. MR. KLEIN, REMINGTON & VERNICK
TO: PETER LO DICO | RE: 2022 RD PRGRM PHASE I CHNG ORDR 1
DATE: SEPTEMBER 27, 2022 |
| 6. CAROL DUFFY, 45 WELCOME ROAD
TO: MAYOR WHITE & COUNCIL | RE: CURBING THE END OF WELCOME ROAD
DATE: SEPTEMBER 13, 2022 |
| 7. STEPHEN PELLINO
TO: ANTHONY R. SUAREZ | RE: ORDINANCE #1726-22
DATE: SEPTEMBER 20, 2022 |

NONE

*** APPLICATIONS**

One Day Business License

1. **National Coins & Jewelry, LLC – Marriott 138 Pehle Avenue, Oct. 25 - 28**

Second Hand Jewelry License

2. **National Coins & Jewelry, LLC – Marriott 138 Pehle Avenue**

Peddler & Soliciting Application

3. **Trinity Solar**

*** REPORTS**

1. MUNICIPAL COURT MONTHLY REPORT – AUGUST 2022
2. BERGEN COUNTY ANIMAL CONTROL – AUGUST 2022
3. HOTEL ROOM TAX MONTHLY REPORT – AUGUST 2022
4. GRANT WRITER REPORT – AUGUST 2022
5. DPW MONTHLY REPORT – AUGUST 2022
6. CONSTRUCTION CODE OFFICIAL REPORT – AUGUST 2022
7. PROPERTY MAINTENANCE OFFICIAL REPORT – AUGUST 2022
8. POLICE DEPARTMENT MONTHLY REPORT – AUGUST 2022
9. ENGINEER'S MONTHLY REPORT – JULY 2022
10. ENGINEER'S MONTHLY REPORT – AUGUST 2022
11. TAX COLLECTOR'S MONTHLY REPORT – AUGUST 2022
12. WATER COLLECTOR'S MONTHLY REPORT – AUGUST 2022
13. BUDGET STATUS REPORT – AUGUST 2022

Deputy Clerk – That completes the consent agenda.

OLD BUSINESS

Councilman Cimiluca - Through the Chair in regard to the speed study we still have the box we have new Officer in Charge and good luck to Captain Zotollo recently he was injured and I haven't been able to get together with him to go over the data from the new Schepis Avenue studies and also I believe it was placed on Alberta so we should have that for next meeting. I want to give my last statement to cannabis. When we say that Saddle Brook is the first in New Jersey to allow manufacturing that's false, other Towns in New Jersey have in their ordinances have allowed manufacturing facilities. The fact that there are no manufacturing facilities in New Jersey does not mean that they're not allowed just like Saddle Brook is now allowing what we termed micro manufacturing doesn't mean that there is ever going to be a micro manufacturing facility. So Saddle Brook is not the pot Town its available just like macro manufacturing the big giant warehouses for manufacturing is authorized in Saddle Brook but they have to be approved by the state and then they've got to be approved by the Town and the Town the Zoning Board is going to go over all of this. We have brains up here and in our licensing package they're going to have to do that before we give them a license. If they have to do something and go before a Board so be it but part of the licensing package is going to be you've got to show us the ventilation, you've got to show us the security, you've got to show us the hours of operation it's all going to be part of their licensing. Nobody has been licensed for manufacturing by the state at least no one that we know of and certainly no one has come before us and said we got our license from the state we'd like our license for manufacturing whether it's big box manufacturing or the smaller places. My understanding is and Mr. Suarez can correct me if I'm wrong that you can't ask for a use variance for any cannabis. We've got designated areas but somebody can't go into an area that's not designated for it and ask for approval from the Zoning Board is that correct?

Mr. Suarez – That's correct. That's what I was told by certain State Officials that you cannot do that. The manufacturing is supposed to be the least impact of all the classes. That was discussed at one of the work sessions.

Councilman Cimiluca – We've done our homework and attended classes and things like that of the three that we approved manufacturing is the least intrusive. There's no foot traffic, there's no retail sales, there's no one going in there other than the people that work there and are making deliveries to and from and from everything that we've been told from people that are doing this people in the state. Last year we attended at the League of Municipalities there are a number of cannabis seminars and everybody who was there had indicated that manufacturing was the least especially in regard to odors the least impact on the exterior. Cultivation was the number one that there might be some escape retail number two just from opening the door it being in there you might get something coming out around the facility. When you drive past it or walk past it you might smell it and you get fifty feet away and you're not smelling it anymore. When you talk about manufacturing maybe there's a misunderstanding about what they're doing in there they're pressing product together to make gummies to make oil. I don't know what people think about manufacturing but please do your research on what goes on thank you.

NEW BUSINESS

Mayor White – I want to talk about a resident from Dewey Avenue she couldn't be here tonight so I told her that I would talk to the Council. She's got a problem she lives in a duplex that's about ten years old and she's got a sloped driveway that goes to the garage and a big rainfall we had back in July she got flooded out again she's been flooded a couple of times and she has requested and the engineer and myself went there to look at it and it seems that a contributing factor is that driveway. She's also concerned and a couple of other residents as well that the drainage in the street might be clogged. We told her that the Town would and there are other areas too that we want to televise. The engineer is in the process and should in the next couple of weeks hire somebody to do all the locations and there are about ten locations. She is very upset because she's telling me she's a nervous wreck and every time it rains and she keeps messaging me when is it going to get done and it's been since July. I know the process take a long time she mentioned why can't we do it on an emergency basis and I said it really isn't an emergency but to her it is. I don't even know if the pipe is clogged. We reached out to Lodi because they have equipment to televise but they won't lend it to us as a matter of fact one of the things on the agenda is a resolution shared service agreement with Lodi and then perhaps we can borrow it. I'm telling you this because I feel terrible I wish there was something we could do. It's at the point where I'm hoping in a couple of weeks it will get done but I don't know I just think if we run into a snag I'd like to help this woman out. I just feel I need to tell everybody because I get complaints all the time but this one really bothers me because the woman through no fault of her own purchased this house and that leads me to my second thing is I really believe if possible and maybe Mr. Suarez can shed a little light on this I think what we should do I said this house was built ten years ago maybe we should look at our building code and put in some kind of regulation to prohibit this kind of construction because it's terrible. I went around Town every house like this they all get flooded. I told her to sandbag it and she did and she put them out there just to get a little peace of mind that maybe it won't get flooded. I believe it might be a good idea if we can do it. I don't want some other person who doesn't know. In talking to her, her father who since passed away told her don't buy this house I don't like that driveway. Her insurance won't even cover her and she's not in a flood zone either.

Councilman Cimiluca – What exactly are we looking into?

Mayor White – I'd like to see an ordinance that prohibits that kind of construction with those sloped driveways into a garage.

Councilman Cimiluca – Do you know if that went to the Zoning Board because I have a sloped driveway not like this one but it does slope down and I was required to put in a French drain that goes to a drywell. I don't think it's a flood issue I think it's a construction issue. I think if somebody talks to the Building Department to see if they got a variance. The lots are small on Dewey so I think all of the construction there has to go to the Zoning Board. We could see if there were some requirements that were not fulfilled when it was built.

Council President Mazzer asks for a motion to open to the public for agenda items.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes

Councilman Gierak – yes

Councilman Accomando – yes

Councilwoman D'Arminio – yes

Council President Mazzer – yes

Jerry Taylor of 318 Schepis Avenue comes forward to speak.

Mr. Taylor – I just want to say to the Mayor and Council thank you very much as was stated by Councilman Accomando we had our UNICO Street Fair Sunday and half of the vendors showed up we weren't sure if they were going to show up or not so it was about half the size. The weather held off it was cold and windy but it did not rain. I was checking the weather hourly and it kept saying it was going to rain but we were above so it worked out very well. I'd like to also thank the Police Department and the DPW as always. To Peter I've known Pete all my life since PC and he has Town and that's all he thinks about is the Town. No matter when you talk to him and especially as you guys know with the budget he's always trying to keep it low because he doesn't want to spend the money and people joke to him but he always has the Town first and can't wait for him to come back. Thank you.

Council President Mazzer – Anyone else wishing to be heard? Seeing none motion to close.

Motion: Councilwoman D'Arminio

Second: Councilman Gierak

Roll Call:

Councilman Cimiluca – yes

Councilman Gierak – yes

Councilman Accomando – yes

Councilwoman D'Arminio – yes

Council President Mazzer – yes

Council President Mazzer – There's no other business motion to adjourn.

Motion: Councilwoman D'Arminio

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes

Councilman Gierak – yes

Councilman Accomando – yes

Councilwoman D'Arminio – yes

Council President Mazzer – yes

Meeting adjourned at 9:08 PM.

Respectfully submitted,

Maureen Ruane RMC
Interim Business Administrator / Clerk

Florence Mazzer
Council President

Approved: November 10, 2022