

The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on April 20, 2023 at 7:00 PM at the Municipal Building, 55 Mayhill Street, Saddle Brook, NJ.

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

The Township Clerk called the roll:

Councilman Cimiluca – present
Councilman Accomando – present
Councilwoman Sanchez – absent
Councilwoman Mazzer – present
Council President Gierk – present

Mayor White – present
Mr. Schettino - Township Attorney - present
Ms. Ruane – Interim Business Administrator - present
Mr. Klein - Township Engineer - present

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

Council President Gierek 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 Gierek asks for a motion to open to the public.

Motion: Councilwoman Mazzer Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierek – yes

Council President Gierek – Anyone wishing to address the Council please step up to the microphone and state your name and address.

Thomas Van Winkle of 128 Lincoln Avenue comes forward. I just want to give a Mayor's Youth Group update for the month of April. First, I'll start with the past was our Easter Celebration right here in the gym in the complex. The kids helped with the all the activities of the Easter event. We also have the food drive going on and they helped out with that. I do want to give a shout out to our President Tyler just the way he's such a leader in our group as our president. He also helped the photos of the Easter Bunny put everybody on the bunny. I just want to acknowledge everything he does for the Youth Group. Also, a thank you to Councilman Accomando and Shannon Accomando, Christine and everybody on the Projects and Activities Committee and the Woman's Club for making the event such a success. Coming up now we have Earth Day this Saturday which is to raise awareness about keeping our planet a clean place. Every year we always as a Youth Group do our cleanup and planting so once again this year this Saturday at 10:00 am we will be going to Tricentennial Park at Platt Avenue and Saddle River Road. We will be doing planting around the flagpole that's there and also

some light cleanup. We don't think it's going to take longer than an hour, so we only need an hour of the Youth Group's time. We are also going to provide the necessary equipment, like the shovels and the gloves that we need. That's all I have for this month, and we hope to see everyone on Saturday, thank you.

Councilman Cimiluca asks if there is a rain date for the Earth Day cleanup and Mr. Van Winkle says there is not but that The Youth Group members should watch the weather and their emails for any changes.

Council President Gierrek – Seeing no one else motion to close the meeting to the public.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – absent

Councilwoman Mazzer – yes

Council President Gierrek – yes

Council President Gierrek – Mayor and Council comments. Mayor.

Mayor White – Thank you Council President. Since it's Autism Awareness Month I have a proclamation to read in recognition of Autism Awareness Month.

Mayor White reads the proclamation aloud.

Mayor White – I urge all residents to become educated and informed about programs, services and opportunities to help support individuals with autism. Next, I'd like to briefly talk about the budget. Maureen and I have been working along with our auditor and we're attempting to prepare a sound and correct budget for the Township, and we should have that prepared and ready for the Council I would say by next month. We have a couple of bond ordinances on tonight for road resurfacing. One is for \$1.1 million dollars utilizing approximately a little over \$1.1 and it utilizes \$136,000 of 2022 Community Development block grant funds. The second one is for \$490,000 which utilizes \$225,000 of New Jersey DOT grant funds. The \$1.1 is for our 2023 road resurfacing program and the \$490,000 is using the \$225,000 DOT grants that is for Alberta Drive. So, our road program for 2023 consists of Strathmore Terrace, Kern Place, Hutter Street and Avon Lane. We have other outside funding is provided which we just did using Community Development block grant funds from 2022 for Washington Street and Blanche Street. Those streets were just paved last week. So, with the block grant funds we received \$136,000 for that particular project we also started the concrete work on Cambridge Avenue. The whole length of Cambridge is going to be paved, that's using New Jersey DOT funds in the amount of \$200,000. We're going to wait until school ends to do the paving and we're in the process of finishing up the concrete now. Different grants that we have I'm happy to say that we just received word that we're getting \$60,000 from the New Jersey DCA Local Recreational Improvement Grant and that's for Fifth Street Park. We also just received we didn't receive it was allocated by the Central Division of Community Development block grant for 2023 \$125,000 for paving Sterling Place and Orchard Lane. Our ordinances we have on tonight we have a few, we have one amending the fee schedule per state laws. We have another and that's the second reading, we have another second reading prohibiting parking of vehicles on unsurfaced grass and dirt in residential districts and we have a first reading on leashing of dogs which we have to amend that ordinance to update it. Recent events on Friday April 7th we had our ambulance fish and chips. It was a very nice turnout, and it was here at the new complex. The corps did a great job, and the food was fantastic. This year our Easter Celebration as Thomas alluded to was Saturday April 8th. I'm just going to repeat some of what Thomas said, most of what he said anyway. It was from 12 noon to 2 pm. I want to thank the Project and Activities Committee, Shannon Accomando, Councilman Todd Accomando, Christine Genuario, Thomas Van Winkle, Tyler Posey and the rest of the Mayor's Youth Group, the Women's Club brought

cookies which were handed out to all the children and the adults too like myself ACME for donating \$500 of gift cards for the Community Partnership Committee and they also gave groceries to the food drive for the Saddle Brook pantry. We also had a table there and we got a lot of donations of food from residents that came to the celebration. The Little League Parade and Opening Day was Saturday April 15th. I want to thank the Little League Executive Board they did a great job planning the event. I also want to thank the Saddle Brook Police Department, the Volunteer Fire Department, Volunteer Ambulance Corps, DPW and Thomas Van Winkle again for taking photos. Also, the same day was the Softball Opening Day at Veterans Field. They had games all day, the teams playing each other. There were games and festivities throughout the day, unfortunately some of the late games in the afternoon were canceled due to rain and thunderstorms. Upcoming events we have as Thomas mentioned Earth Day cleanup Mayor's Youth Group on Saturday April 22nd at 10 am in Tricentennial Park weather permitting. Also, I believe this date we're going to have May 15th is Saddle Brook Police Department Law Enforcement Memorial out in front of the old Town Hall at 93 Market Street. We're not totally set on the date. I believe that's going to be the date but stand by if we do change it, I'll let everybody know it'll be posted everywhere as well. The VFW and American Legion veteran banners program I'm proud to say that we met with the members of the American Legion and the VFW and they have at this time over a hundred banners that were already paid for so the banners are being made now by Gates Flag and sometime hopefully we were shooting you know before Memorial Day they will be up on Market Street and Saddle River Road. Happy Mother's Day thanks.

Councilman Accomando – It was a great job by all at the Easter Celebration. Thank you again to Christine, Shannon, Thomas and especially I know we mention this all the time the Women's Group. The Women's Group is at every function we have in Town and everything they do it comes out of their own pockets so thank you to those wonderful women. Little League celebration was fantastic it was well attended well planned and they had Betances from the New York Yankees there so that was a pretty neat experience and on June 11th is the American Cruisers in Saddle Brook is going to do a car show for the Ambulance Corps. The proceeds will go to the Ambulance Corps. If you want to be a part of it you can contact them. We have flyers at Town Hall for sponsorship or if you just want to be part of it you just fill it out. All the money will go to the Ambulance Corps for what they do on a volunteer basis. Happy Mother's Day to all the mothers out there and fathers you will play double duty.

Councilwoman Mazzer – I just want to reiterate what the Mayor said and what Councilman Accomando said also. I would also like to congratulate everyone and thank everyone that participated in the Easter event. It was great to see everyone come out and have fun. That's all I have right now.

Councilman Cimiluca – Again the Mayor gave a clear, concise and correct description of a lot of the events that have gone by as did Thomas. I was at the Easter Celebration with my grandkids they loved it. You have to thank the Projects and Activities Committee they did a great job. What it was was the first event that we've had for the entire community at the new location after it's been opened. We did have the Christmas Celebration there, but we technically weren't open at that time but it's the first time that a lot of people have seen the recreation part of this facility and the reaction that I got was very positive and hopefully that's the first of many events that we can hold for the community. Prior to that was the Ambulance Corps Fish and Chips Dinner and again it was the first fish and chips dinner that was held in their new facility. It's a great looking facility and it was big enough to hold everyone and the food is great and we have to thank the Ambulance Corps for everything that they do for us. In terms of the ordinances that are on tonight one of them is a second reading. We've had an issue with vehicles being parked on the front lawns of properties. We are basically a residential community and it's just a bad look. We've got a quality of life issue that we're trying to address here so vehicles, trailers not on the lawn and I know the immediate reaction is what if it snows. If it snows, I'm sure that there will be a degree of latitude if there's no place else for you to park other than on the lawn because I will admit that I have done that during a snowstorm when I had three kids living at home and we had five cars. I don't think that you have to think that oh they passed an ordinance I'm going to get tickets. Snowstorms, which luckily, we didn't have any this year is going to be a different emergent condition I'm sure there'll be some latitude given. The second one is

the leashing of dogs that the Mayor had mentioned. For some reason, our prior or our current ordinance only had the dog leashing requirements for three months of the year. I think it was June, July and August or something like that which did not when looking at it make a heck of a lot of sense. We are doing it so this way if you're on public property the sidewalks you have to leash your dog because there are dog bites and while it's a different town I did prosecute three dog bite cases in the last month where I work. They do get loose most love dogs no one more than me but sometimes they you have to remember they are animals and sometimes they get out of control and sometimes they're provoked but they need to be leashed. Not much to talk about this month I do want to congratulate my son Alex and his new bride Sarah on their wedding last week. It was a great event and I wish them many years of love and happiness.

Council President Gierak – I just wanted to mention an issue that came up a couple of months about the Ambulance Corps response time. Obviously, public safety is something all of us take very seriously. This response time has been much better as of late. We are still looking into some other options. We did meet with a private ambulance company and that option was an extremely expensive one. We're still exploring some options we're happy that the response time has been much better so I just wanted to let all the residents know that. Happy Mother's Day to all the moms and some of the dads that are playing moms Happy Mother's Day thank you.

ORDINANCES

1. **ORDINANCE #1729-23 – SECOND READING** **AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK, NEW JERSEY AMENDING THE TOWNSHIP CODE AND ALL GENERAL ORDINANCES OF THE TOWNSHIP; MORE SPECIFICALLY, CHAPTER 206-84F, AND CHAPTER 206 SECTION 82-3(5) “FEES”.**

Mr. Lo Dico asks for a motion to untable.

Motion: Councilman Cimiluca

Second: Councilwoman Mazzer

Roll call:

Councilman Cimiluca - yes
Councilman Accomando - yes
Councilwoman Sanchez – absent
Councilwoman Mazzer - yes
Council President Gierak - yes

Council President then directs the Township Clerk to read the resolution regarding final passage.

Township Clerk then reads the resolution as follows:

CR# 423-69

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, NEW JERSEY AMENDING THE TOWNSHIP CODE AND ALL GENERAL ORDINANCES OF THE TOWNSHIP; MORE SPECIFICALLY, CHAPTER 206-84F, AND CHAPTER 206 SECTION 82-3(5) “FEES”.**

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes
Councilman Accomando - yes
Councilwoman Sanchez – absent
Councilwoman Mazzer - yes
Council President Gierrek - yes

2. ORDINANCE #1730-23 – SECOND READING
AN ORDINANCE AMENDING CHAPTER 206 “ZONING” OF THE TOWNSHIP
CODE OF THE TOWNSHIP OF SADDLE BROOK

Mr. Lo Dico asks for a motion to untable.

Motion: Councilman Accomando

Second: Councilwoman Mazzer

Roll call:

Councilman Cimiluca - yes
Councilman Accomando - yes
Councilwoman Sanchez – absent
Councilwoman Mazzer - yes
Council President Gierrek - yes

Council President then directs the Township Clerk to read the resolution regarding final passage.

Township Clerk then reads the resolution as follows:

CR# 423-70

Be it resolved, by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE AMENDING CHAPTER 206 “ZONING” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK** does now pass on second and final reading and that the Township Clerk be directed to advertise said Ordinance or Title thereof, in the press, together with a notice of the date of passage of said ordinance according to law.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes
Councilman Accomando - yes
Councilwoman Sanchez – absent
Councilwoman Mazzer - yes
Council President Gierrek - yes

3. ORDINANCE #1732-23 – FIRST READING

Council President: The next order of business is the introduction of **AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 58 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “ANIMALS”**.
be passed and adopted on first reading.

Motion: Councilman Accomando

Second: Councilwoman Mazzer

Roll Call:

Councilman Cimiluca - yes
Councilman Accomando - yes
Councilwoman Sanchez – absent
Councilwoman Mazzer - yes
Council President Gierrek - yes

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

Clerk: Then reads the resolution as follows:

CR# 423-71

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled: **AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 58 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “ANIMALS”**.

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 4th day of May, 2023 at 6:00 PM, or as soon thereafter as the matter can be reached at the Municipal Complex, 55 Mayhill 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: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

Councilman Accomando - yes

Councilwoman Sanchez – absent

Councilwoman Mazzer - yes

Council President Gierak - yes

4. ORDINANCE #1733-23 – FIRST READING

Council President: The next order of business is the introduction of **BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF ALBERTA DRIVE (FROM SADDLE RIVER ROAD TO HILDA TERRACE, AND INCLUDING MARIE COURT) IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$490,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

be passed and adopted on first reading.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

Councilman Accomando - yes

Councilwoman Sanchez – absent

Councilwoman Mazzer - yes

Council President Gierak - yes

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

Clerk: Then reads the resolution as follows:

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the bond ordinance entitled: **BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF ALBERTA DRIVE (FROM SADDLE RIVER ROAD TO HILDA TERRACE, AND INCLUDING MARIE COURT) IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$490,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 4th day of May, 2023 at 6:00 PM, or as soon thereafter as the matter can be reached at the Municipal Complex, 55 Mayhill Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a time and place when and where said ordinance will be further considered for final passage.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes
Councilman Accomando - yes
Councilwoman Sanchez – absent
Councilwoman Mazzer - yes
Council President Gierrek - yes

5. ORDINANCE #1734-23 – FIRST READING

Council President: The next order of business is the introduction of **BOND ORDINANCE TO AUTHORIZE THE 2023 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,120,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**
be passed and adopted on first reading.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes
Councilman Accomando - yes
Councilwoman Sanchez – absent
Councilwoman Mazzer - yes
Council President Gierrek - yes

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

Clerk: Then reads the resolution as follows:

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the bond ordinance entitled: **BOND ORDINANCE TO AUTHORIZE THE 2023 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,120,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 4th day of May, 2023 at 6:00 PM, or as soon thereafter as the matter can be reached at the Municipal Complex, 55 Mayhill 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: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes
Councilman Accomando - yes
Councilwoman Sanchez – absent
Councilwoman Mazzer - yes
Council President Gierak - 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.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierak – yes

*** MINUTES**

February 16, 2023 Regular Council Meeting
February 22, 2023 Special Council Meeting
March 16, 2023 Regular Council Meeting

*** RESOLUTIONS**

CR# 423-74

TOWNSHIP OF SADDLE BROOK Resolution of Support from Local Governing Body Authorizing Participation in the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic, and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Saddle Brook strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program to help increase energy efficiency for residents, businesses, and municipal facilities.

THEREFORE, the Mayor and Council of the Township of Saddle Brook has determined that the Saddle Brook should apply for the aforementioned 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program.

THEREFORE, the Township of Saddle Brook, applying for the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program, will provide staff support for all activities related to the Sustainable Jersey-PSE&G Energy Efficiency Partnership Program, including lowering emissions and energy costs of Saddle Brook municipal buildings through the audit of municipal buildings and fleets and improving energy efficiency; and

- Identify one or more staff to serve as primary contacts for Sustainable Jersey for the projects selected (e.g. energy efficiency in municipal facilities)
- Commitment to attend a virtual kick-off event and a minimum of three virtual trainings
- Access to utility bills and other energy records as needed for the project (energy efficiency in municipal facilities)
- Support from relevant finance, facility, and other staff as needed for project implementation

THEREFORE, BE IT RESOLVED, that Mayor and Council of the Township of Saddle Brook, State of New Jersey, authorizes submission of the aforementioned application to the 2023 Sustainable Jersey-PSE&G Energy Efficiency Partnership Program.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierrek – yes

**TOWNSHIP OF SADDLE BROOK
RESOLUTION
RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED
MARKET STREET PROFESSIONAL LLC V. TOWNSHIP OF SADDLE BROOK
AT 50 MARKET STREET, BLOCK 620, LOT 1 FOR TAX YEARS 2018 THROUGH
2022.**

CR# 423-75

WHEREAS, Market Street Professional LLC has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 50 Market Street and identified on the Township's tax maps as Block 620, Lot 1 for tax years 2018 through 2022; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, is of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2021 to be reduced from \$1,401,300 to \$1,200,000 resulting in a refund of \$5,241.85.
- 2) The assessment for tax year 2022 to be reduced from \$1,466,300 to \$1,100,000 resulting in a refund of \$8,798.53.
- 3) The assessment for tax years 2018 through 2020 to remain unchanged.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierak – yes

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED 480 MARKET STREET, LLC V. TOWNSHIP OF SADDLE BROOK
AT 480 MARKET STREET, BLOCK 707, LOT 8 FOR TAX YEARS 2021 & 2022.**

CR# 423-76

WHEREAS, 480 Market Street, LLC has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the tax assessed against property located at 480 Market Street and identified on the Township's tax maps as Block 707, Lot 8 for tax years 2021 & 2022; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, is of the opinion that the settlement proposed below is in the best interest of the Township of Saddle Brook; and

WHEREAS, the Township Assessor, the Township Tax Appeal Attorney and Township Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey that the Township Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2021 to be reduced from \$968,600 to \$920,000 resulting in a refund of \$1,265.54.
- 2) The assessment for tax year 2022 to be reduced from \$1,013,600 to \$900,000 resulting in a refund of \$2,728,67.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierak – yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 423-77

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

WHEREAS, 1 bid was received and opened on March 21, 2023, and

WHEREAS, after review by the Township Attorney, the recommendation is to award the contract to Joseph Smentkowski, Inc., 160 James Avenue, Jersey City, NJ for a 5 year period commencing May 1, 2023 in the amount of \$1,800,000

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby awards the bid to Joseph Smentkowski, Inc., 160 James Avenue, Jersey City, NJ providing funds are available.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierak – yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 423-78

WHEREAS, Remington and Vernick, Township Engineer has submitted a proposal dated April 11, 2023 for engineering services for Hutter Street Storm Sewer repairs at a cost of \$36,000.00

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby authorizes Remington & Vernick to proceed with their service at a cost not to exceed \$36,000.00 providing funds are available.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierrek – yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 423-79

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 **\$652,556.81** PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.

THESE ARE BILLS PAID THROUGH OFFLINE CHECKS.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierrek – yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 423-80

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY THAT THE PROPER WARRANTS BE DRAWN AND THAT THE ATTACHED BILLS, WITH THE EXCEPTION OF THOSE BILLS NOT APPROVED BY A MAJORITY OF THE COUNCIL, BE PAID TOTALING **\$3,655,779.20** PROVIDING FUNDS ARE AVAILABLE AND ALL BILLS SUBMITTED COMPLY WITH N.J.S.A. 40A: 11-1 ET. SEQ AND ANY OTHER APPROPRIATE STATUTES.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierrek – yes

CR# 423-81

WHEREAS, Andres Morales (“Morales”) is a former employee of the Township of Saddle Brook (“Township”); and

WHEREAS, Morales voluntarily resigned from his employment with the Township effective as of April 15, 2021; and

WHEREAS, Morales and the Township wish to amicably resolve issues and claims which may arise, or which may have arisen, out of his employment with the Township; and

WHEREAS, the Township's counsel has recommended that entering into the attached Settlement Agreement and Release is in the Township's best interest; and

WHEREAS, the Township does not admit any liability or wrong doing whatsoever through and by this Settlement Agreement and Release, and is taking this action solely as a matter of business judgment and at the recommendation of its legal counsel;

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Saddle Brook, County of Bergen, State of New Jersey, that the Township hereby approves the attached Settlement Agreement and Release between the Township and Morales, settling all outstanding issues, as more fully set forth in the attached Agreement; and

IT IS FURTHER RESOLVED that the governing body of the Township of Saddle Brook, County of Bergen, State of New Jersey, hereby authorizes the Mayor or his designee to execute the Settlement Agreements and Release and for Township personnel and/or legal counsel to take any actions necessary to effectuate the terms of this Resolution.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierk – yes

CR# 423-82

WHEREAS the renewal received a special ruling pursuant to N.J.S.A. 33:1-12.39 for the 2022-2023 license term.

BE IT RESOLVED by the Township Council of the Township of Saddle Brook County of Bergen, State of New Jersey that the following license be renewed for the year 2022-2023 and the Division of Alcoholic Beverage Control be so notified.

PLENARY RETAIL CONSUMPTION LICENSES

<u>STATE LICENSE NO.</u> <u>AMOUNT</u>	<u>NAME</u>
257-33-017-003 \$1400.00	Wilczynski Family, LLC c/o Dottie Wojno 49 Market Street Saddle Brook, NJ 07663

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer – yes
Council President Gierak – yes

*** CORRESPONDENCE**

1. CAPT. ZOTOLLO
TO: PETER LO DICO

RE: ICE CREAM VENDOR – MR. SOFTEE
DATE: MARCH 13, 2023

Saddle Brook Police Department



OFFICER IN CHARGE

JOHN A. ZOTOLLO, JR.
CAPTAIN

63 MARKET STREET
SADDLE BROOK, NJ 07663
Zotollo@saddlebrookpd.com

To: Peter LoDico – Township Clerk
From: Captain John A. Zotollo, Jr. - Officer in Charge
Date: March 13, 2023

A handwritten signature in blue ink, appearing to be "J. Zotollo", is written over the "From:" line of the letterhead.

Re: ICE CREAM VENDOR APPLICATION
Mister Softee
Juan A. Perez
126 Reade Street, Apt 2
Englewood, NJ 07631

The above business and individual filed an Ice Cream Vendor Application.

The Detective Bureau conducted a background check of the business and individual.
The paperwork was filled out correctly based on Ordinance 382 (Chapter 111) and all checks were negative.

Based upon the above information I recommend the application be approved at this time.

Cc: file

C-1

2. CAPT. ZOTOLLO
TO: PETER LO DICO

RE: ICE CREAM VENDOR – ZAM ZAM
DATE: MARCH 13, 2023

Saddle Brook Police Department



OFFICER IN CHARGE

JOHN A. ZOTOLLO, JR.
CAPTAIN

63 MARKET STREET
SADDLE BROOK, NJ 07663
Zotollo@saddlebrookpd.com

To: Peter LoDico – Township Clerk
From: Captain John A. Zotollo, Jr. - Officer in Charge
Date: March 13, 2023

A handwritten signature in black ink, appearing to read "John A. Zotollo, Jr.", is written over the "From:" line of the letterhead.

Re: ICE CREAM VENDOR APPLICATION
Zam Zam
Nareman Alsaleh
121 Tamarack Road
Watne, NJ 07470

The above business and individual filed an Ice Cream Vendor Application.

The Detective Bureau conducted a background check of the business and individual.
The paperwork was filled out correctly based on Ordinance 382 (Chapter 111) and all checks were negative.

Based upon the above information I recommend the application be approved at this time.

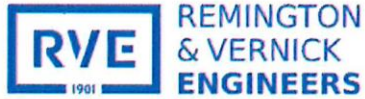
Cc: file

C-2

3. R. KLEIN, REMINGTON & VERNICK ENG.

TO: MAUREEN RUANE, INTERIM BUS ADM.

RE: PAYT #1 - \$141,183.49 – AMERICAN
ASPHALT
WASHINGTON & BLANCHE STREETS
DATE: MARCH 31, 2023



One Harmon Plaza, Suite 600
Secaucus, NJ 07094
O: (201) 624-2137
F: (201) 624-2136

March 31, 2023

Maureen Ruane – Interim Administrator
Township of Saddle Brook
93 Market Street
Saddle Brook, New Jersey

Re: Township of Saddle Brook
Washington Street & Blanche Road Improvements
Pay Certificate No. 1
RVE File No. 0257-T-109

Dear Maureen,

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

Therefore, we recommend the following payment be made to **American Asphalt** in the amount of **\$144,183.49**.

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

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.

Robert J. Klein, PE
Project Manager

cc: Mayor Robert White
Pete LoDico
Vincent Buono
Tim Conte
Frank Barrale

C-3

4. R. KLEIN, REMINGTON & VERNICK ENG.
TO: MAUREEN RUANE, INTERIM BUS ADM.

RE: PROPOSAL-HUTTER ST STORM
SEWER REPAIR
DATE: APRIL 11, 2023



One Harmon Plaza, Suite 600
Secaucus, NJ 07094
O: (201) 624-2137
F: (201) 624-2136

April 11, 2023

Maureen Ruane-Administrator
Township of Saddle Brook
93 Market Street
Saddle Brook, NJ 07663

Re: Township of Saddle Brook
Hutter Street Storm Sewer Repairs
Professional Services Proposal

Dear Maureen:

REMINGTON & VERNICK ENGINEERS (RVE) is pleased to submit this proposal to provide professional services for the above-referenced project. The scope of work includes preparing bid documents and contract administration for repairs to the storm sewer that runs from Floral Lane to Graham Terrace, behind the eastern residences on Hutter Street. Saddle Brook received approximately \$50,000 for these repairs, caused by a flash flooding event that took place in September 2021 from Hurricane Ida.

Our Scope of Services are as follows:

1. We will review the reports and video's provided by National Water Main Cleaning Company, who televised the storm sewer line on February 14th and 15th, 2023. We will then recommend the repairs which may consist of a combination of pipe replacement and lining. We will provide a construction cost estimate for budgeting purposes prior to proceeding with preparation of construction documents as outlined below.
2. Utilize conventional ground survey to obtain existing conditions of the easement and storm sewer pipe that runs through the easement. We will transmit the base plans to the various utility companies and request as-built information on existing utilities as well as notify them of the project. We will use the information received to prepare existing condition base plans. The ground survey will include property and easement lines along with topographic features.
3. Prepare the construction plans, specifications, and engineer's construction estimate for obtaining construction bids for the project.
4. Assist in the bid opening, review of bids, and recommend award of the contract.
5. Provide construction observation services during the construction phase of the project. We assume that the work will last approximately one week.
6. Provide contract administration services including the processing of change orders and payment requests. We will review and return shop drawings submitted by the Contractor. We will attend the preconstruction meeting and issue meeting notes. We will perform a punch list inspection and provide a list of punch list items to the Contractor.
7. We will assist the Town in the reimbursement process.

www.rve.com

RECEIVED TOWNSHIP CLERK
23 APR 12 AM 10:19

C-4

Township of Saddle Brook
Hutter Street Storm Sewer Repairs
Professional Services Proposal

PROJECT COST

The anticipated project cost(s) are detailed as follows:

	Estimated Construction Cost	TBD
A.	Field Survey & Base Plan Preparation Services	\$ 15,000.00
B.	Engineering Design Services	\$ 11,000.00
C.	Construction Administration	\$ 10,000.00
	GRAND TOTAL PROJECT COST	\$ 36,000.00

COST OF SERVICES

Remington & Vernick Engineers will perform the services outlined herein on a time and material basis with a maximum cost not to exceed **\$36,000.00** which includes items A, B, and C, above.

We await your written authorization to begin preparation of the required documents for bidding. We trust the information provided meets your requirements for this project. Should you have any questions, comments, or require additional information, please feel free to contact the undersigned at our Secaucus office.

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.


Paul D. Cray, PP, PE, CME
Principal / Regional Manager

cc: Mayor Robert White
Robert Klein, RVE

5. MAYOR'S APPOINTMENT – CANNABIS ADVISORY COMMITTEE

Township of Saddle Brook

Office of the Mayor

MUNICIPAL BUILDING
93 Market Street
Saddle Brook, N.J. 07663



Tel: (201) 587-2902
Fax: (201) 587-2961
Email: mayorwhite@saddlebrooknj.gov

Robert D. White
IN GOD WE TRUST

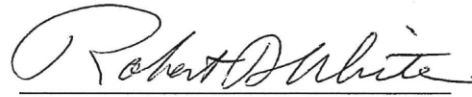
MAYOR'S APPOINTMENT

APPOINTMENT OF TOWNSHIP CANNABIS ADVISORY COMMITTEE

In accordance with the Saddle Brook Township Council resolution adopted on March 16, 2023, which approves the establishment of a Cannabis Advisory Committee, I hereby appoint the following to serve on the committee:

- Saddle Brook (SB) Council President David Gierak
- SB Councilman Todd Accomando
- SB Interim Business Administrator Maureen Ruane
- SB Police Department Officer in Charge Captain John Zotollo

Dated: April 6, 2023


ROBERT D. WHITE
MAYOR

C-5
23 APR -6 PM 2:53
RECEIVED TOWNSHIP CLERK

6. A. CIALONE, ESQ. PLAN BD
TO: MAYOR & COUNCIL

RE: ORD. 1729-23 AND 1730-23
DATE: APRIL 19, 2023

Basile Birchwale and Pellino, LLP

Counselors At Law

865 BROAD AVENUE
P.O. BOX 434
RIDGEFIELD, NEW JERSEY 07657

PAUL L. BASILE (1915-1997)
ALBERT H. BIRCHWALE
STEPHEN F. PELLINO
ANTHONY P. CIALONE*

TEL. (201) 945-8812
(201) 945-3736
FAX. (201) 945-8934
E-MAIL: law@bbplawyers.com

FLORENCE D. NOLAN**
OF COUNSEL

*MEMBER OF N.J. AND D.C. BARS
**MEMBER OF N.J. AND N.Y. BARS

April 19, 2023

Mayor and Council
Township of Saddle Brook
93 Market Street
Saddle Brook, New Jersey 07663

Re: Ordinance Nos. 1729-23 and 1730-23

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

We write to you in our capacity as the Attorneys to the Saddle Brook Planning Board. You have referred to the Planning Board for review and comment the above-listed proposed Ordinance Nos. 1729-23 and 1730-23 of the Township of Saddle Brook. Pursuant to the provisions of *N.J.S.A. 40:55D-26(a)*, these Ordinances were considered at the Planning Board's regular meeting of April 17, 2023. The Planning Board has authorized us to write this letter report to the Mayor and Council.

The Planning Board determines that the proposed Ordinances are consistent with the master plan and recommends their adoption without amendment or modification.

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

Respectfully submitted,

Anthony P. Cialone

Anthony P. Cialone

APC:cas

cc: Saddle Brook Planning Board, c/o Jayne Kapner, Board Secretary, By Email
Peter LoDico, Township Clerk, By Email and Regular Mail

C-6

*** APPLICATIONS**

Ice Cream Vendor

1. Mister Softee – 126 Reade Street Englewood – RENEWAL
2. Zam Zam – 121 Tamarack Road Wayne - RENEWAL

*** REPORTS**

- 1. MUNICIPAL COURT MONTHLY REPORT – FEBRUARY 2023**
- 2. BERGEN COUNTY SANITARIAN REPORT – FEBRUARY 2023**
- 3. BERGEN COUNTY ANIMAL CONTROL MONTHLY REPORT – JANUARY 2023**
- 4. BERGEN COUNTY ANIMAL CONTROL MONTHLY REPORT – FEBRUARY 2023**
- 5. HOTEL ROOM TAX – MARCH 2023**
- 6. GRANT WRITER REPORT – FEBRUARY 2023**
- 7. DPW MONTHLY REPORT - FEBRUARY 2023**
- 8. CONSTRUCTION CODE OFFICIAL MONTHLY REPORT – FEBRUARY 2023**
- 9. PROPERTY MAINTENANCE OFFICIAL MONTHLY REPORT - FEBRUARY 2023**
- 10. TAX COLLECTOR'S MONTHLY REPORT- FEBRUARY 2023**
- 11. POLICE DEPARTMENT MONTHLY REPORT – FEBRUARY**

OLD BUSINESS

Mayor White – I forgot to say something very important. On the evening of April 12th there was a house fire at 1 Orchard Lane, the Boragine residence. It was a dangerous fire and the house ended up being a total loss. One firefighter received a minor injury. I believe it's a minor injury, hopefully it is, and it will stay that way. Two cats had died in the fire all the family members were able to get out thankfully again that they were able without any injuries unharmed. I just want to say the Saddle Brook Volunteer Fire Department did a fantastic job as they always do. They play a crucial role in our public safety here in Town. They selflessly give of themselves their time and energy and often put themselves in harm's way. Thankfully, the residents the Boragines had insurance to replace the home but as always in a fire like this where it's a total loss the worst is that you lose personal family items like photographs and videos of events and it's terrible because they never get those back. They lost all their clothes no matter what you can't get that fire smell out of them even if they're not burned you might as well just throw them out. I was very happy and proud of our community the way we came together to help them assist them in any way we could. The Town Community Partnership gave a gift certificate actually some of the gift certificates we got from ACME because they needed personal hygiene items all kinds of things. There was a GoFundMe page that someone put out there and that's doing very well. I hear there's a benefit concert on their behalf that's being planned at the VFW and again I just you know they've been through an awful lot and I want to let them know and anybody that is involved in a situation like this where they need help to feel comfortable enough to come forward to the Town and ask. We're a very good town, not only the Township itself but the residents really they go out of their way but I like when we can if we can orchestrate and organize anything to help we're always there to help so thank you.

Councilman Cimiluca – Just briefly the Mayor was there Councilman Accomando was there I was there for the Grand Opening of Brother's Pizza the new location. They're taking over the former location of Frank's Pizza at the Saddle Brook Mall so good luck to Rosario and Danny over there. The food has always been good now it's going to be good in a bigger place. The current or former location of Brother's subject to lease negotiations which are still ongoing the man who owns and runs Bagel Run on the corner of Pehle and Saddle River Road is going to be taking over that location and for those who have questions whether it's going to be a bagel place or a pizza place it's going to be a pizza place just like Brothers was but with new owners. Good luck to both of them on their new endeavors.

Council President Gierek – Motion to open the meeting to the public for agenda items only.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer- yes
Council President Gierek – yes

Council President Gierek – Does anyone wish to address the council for agenda items?
Seeing no one motion to close.

Motion: Councilwoman Mazzer

Second: Councilman Cimiluca

Roll Call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer- yes
Council President Gierek – yes

Council President Gierek – Any other final comments?

Council President Gierek – Motion to adjourn the meeting.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes
Councilman Accomando – yes
Councilwoman Sanchez – absent
Councilwoman Mazzer- yes
Council President Gierek – yes

Meeting adjourned at 7:33 P.M.

Respectfully submitted,

Peter Lo Dico, RMC, CMC
Township Clerk

David Gierek
Council President

Approved: May 18, 2023