

The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on July 20, 2023, at 7:00 PM at the Saddle Brook Municipal Complex, 55 Mayhill Street, Saddle Brook, NJ 07663.

Council President Gierrek called the meeting to order.

The Township Clerk called the roll:

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

Mayor White – present
Mr. Schettino – Twp. Attorney – present
Ms. Ruane – Interim Township Administrator – absent
Mr. Klein – Twp. Engineer – absent

Council President Gierrek asked all to rise for the salute to the flag and to remain standing for a moment of silence in memory of Planning Board Member Dominic Mazzone.

Council President Gierrek announced that adequate notice of this meeting has been sent to all council members 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 Gierrek asks for a motion to open the meeting to the public.

Motion: Councilman Cimiluca

Second: Councilwoman Sanchez

Roll Call:

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

Council President Gierak – Anyone wishing to address the Council come up and state your name and address.

Thomas Van Winkle of 128 Lincoln Avenue comes forward. I just want to bring my usual update on the Mayor's Youth Group. We are planning a fun outing to thank our members for everything that they do for the Township and all the Township activities that they volunteer in so we are going to get together on the 31st we're going to go to Humdinger's for two hours. It's a lot of fun so we hope our members can join us for that. I also want to thank our Youth Group for being involved with the Fishing Derby last month and that's about it right now. Looking ahead we will be helping out with the Township picnic at the end of August on August the 26th and also inviting them to participate in the Mayor's Walk on that same day and National Night Out as well on August 1st and that's all I have for now thank you.

Nancy Murray of Pine Avenue comes forward. The other night I attended the Planning Board meeting and there was a recommendation coming to you regarding an ordinance about cannabis manufacturing specifically and what it is recommending is that two and a half times you have like 5,000 square feet and they're recommending you increase it to 12,500. I'm not that crazy about that size and I don't know that it should be that big but because the businesses they compared it to were completely different businesses. They compared it to U-Haul; the truck company compared it to other types of business not manufacturing of cannabis but if you feel that that's the right thing to do there is another piece of that that was introduced at that time for the recommendation to have 1,000 feet between like businesses for manufacturing and I think that's a really good idea so that they're not congested all in one area. It would congregate people in one place and I actually would like to extend that recommendation that you consider it for all three types of cannabis business grow, retail and manufacturing that they can't be within 1,000 feet of each other it would require a zoning variance. I think that's probably something that would be the best at least I think to keep those businesses so that they're not all just congested all together and causing more traffic or more headaches than what they could so it's coming your way it was in the Planning Board meeting it's not with you yet but I'm just mentioning it here tonight because I think it's really important that something like that is considered that you keep spaces between those types of businesses so that there is a respite between them and that there's not a congestion of them.

Omar Rodriguez of Saddle Brook comes forward. First and foremost the main reason why I'm here is to say goodbye to our friend Dominic Mazzone. It was very nice to have a moment of silence for him. He had dedicated all his life to this Town and we'll see you soon. Now that I came here to the Council meeting that usually I'm not attending lately for obvious reasons. Usually I don't find the answers but I'm surprised now I'm sorry how many minutes do I have three or five.

Mr. Lo Dico – Three.

Mr. Rodriguez – I just saw a bond ordinance for close to three million dollars. I'm also looking into an ordinance for Certificate of Occupancy that if the trees damage the sidewalks and stuff like that the homeowners will have to repair it. Why now the Town, instead of imposing more taxation into the taxpayers, not to look for a commission a shade tree commission or somebody that can do the job instead of just taxing some of the elder residents or try to look for more proactive ways. That takes me into another subject real quick. The Chief of Police was vindicated but unfortunately he is not coming back to Saddle Brook. That's a shame on all the people that have played politics with this issue. The reason I'm bringing this up is because at the end of the day we the taxpayers are going to be footing the bill for these missed moments. Chief Kugler makes around \$230,000 he would love to be back into his office but politics do not allow him to come back into the office therefore we're going to segregate him send him into retirement pay him to his late bills or all his late salary that he is awarded plus someone else is running the Town what's wrong. It's a big misnomer for us the residents. It's \$230,000 that we gotta pay for someone that wants to do his job but he's at home so either you Council will have to wake up and smell the coffee and trying to drop an ordinance because then what's going to happen then when Cadigan, Johnson and Zotollo take the test in December and one of them will become the chief. What about one of them after the test decide to run for office is he going to be executed too. So then somehow the ordinance is going to have to be changed and reflect that we the taxpayers cannot afford to spend more money than we have to. So something needs to be done and we got to learn this lesson then. This cannot happen in the future then also hopefully when the new chief under the supervision of the Mayor of course and then the new chief comes in hopefully we'll see if we really need three captains because I believe that just two captains should be needed not three at this moment and on top of that it's the prosecutor's office that is not twenty four seven in there. I brought because this is a matter of life and death. Last time I was here I brought the incident about the speed bump that is poorly reflected at night on Lanza Avenue needless to say what happened big accident. Lady coming out of Caldwell made the right a white Audi and instead of pressing the brakes press the speed and took over the big pole. He end up in the air the lady roll over my question is what's going to happen if that pole hits someone in the house and a kid gets killed the Town will be liable. I said it and I'm going to say it again that is a poorly designed speed bump. The same way that you guys just remove it you remove it in Lincoln and Liberty because they were complaining about the poorly designed speed bump I believe that you gotta drive by and see all the marks on the street and all the oil every day that goes through there and that is a problem. Just to finish on resolution number three.

Council President Gieriek asks Mr. Rodriguez to finish up as he has exceeded his three minutes.

Mr. Rodriguez complains that he is a taxpayer and asks what the hurry is.

Mayor White – I want to address something you spoke about Chief Kugler that's a legal matter and I want our Town Attorney to address that right now and then you're done. You are way over three minutes.

Mr. Rodriguez continues speaking and says we are spending \$300,000 a year on an administrator and we are a small town.

Council President Gierak cuts him off and he steps down.

Mr. Schettino – If I can address two of the comments. First regarding Chief Kugler and this is a public meeting and the Council cannot discuss any details regarding personnel. That being said however, I think you're under a misunderstanding. Over the objections of this Governing Body the Police Department is now under the guidance and control of the Bergen County Prosecutor's office. No decisions can be made in that office in the Police Department without their approval and right now it's their position that Chief Kugler should not be permitted to return to work. It's not I know your comments were being addressed why is the Governing Body right now that decision is beyond the control of the Governing Body so I just want to correct your statement that it's the Governing Body that's preventing him from working it is not. That is completely inaccurate. As to the opportunity for citizens to address the Governing Body by state statute and by the Towns rules there are regulations and policies the meeting is open to the public but there is a time limit and I'm sure you can appreciate that because if public was allowed to stand at the podium and speak for as long as they wanted to it would disrupt the order of the business and the ability of the Governing Body to take action. They have a right to limit the public participation most communities limit it to three minutes. In your case the Chair was very lenient and you probably had double that amount of time so you were not being restricted at all from addressing the Governing Body in fact you were extended every courtesy by the Governing Body in more than doubling the permitted amount of time that residents have to comment and of course you are always free to communicate outside the meeting you're free to communicate by email so you have every avenue in which to communicate your concerns your disagreements or your questions to the Governing Body. Thank you.

Mayor White – Also you can come back later on when we open it up again because that's for agenda items only and many of the items you were talking about are agenda items so if you used your time more wisely and you started with some of the things you ended with you probably would have had enough time with being restricted to three minutes.

Council President Gierak – Anyone else wish to address the Council?

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

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

COMMENTS

Mayor White – Regarding the budget estimated tax bills went out about two weeks ago. Payment is due on August 1st. There's always a 10 day grace period but if the Tax Collector does not receive the payment by the August 10th deadline there will be interest that reverts back to August 1st so make sure you get it in by the 10th. The municipal budget we spoke a lot about that last meeting. The increase is \$185 municipal side on an average assessment of \$434,583. The increase is primarily due to inflationary issues, solid waste and recycling, insurance premiums, pensions, statutory allocations for the library and contractual salaries. Council and I feel this budget represents what is needed to maintain services and continue our infrastructure programs such as the paving of roads and improving of parks. It also provides funding for hiring personnel due to retirements. Senior citizen homeowners 65 and older may be eligible for a tax freeze program initiated by the state. This program has been available for a long time. Please call the states regional information center 201-791-0500 for eligibility requirements and additional information. We have some ordinances on here tonight. Three of them are second readings. The first is fines increasing up to \$250 for the first offense \$500 for the second offense and \$1000 for the third offense. This is property maintenance fines. Second reading also "No Right Turn on Red" right out here Mayhill Street Extension eastbound onto Mayhill Street. Also the third one which is a second reading all property maintenance violations must be abated including repair and replacement of sidewalks prior to the issuance of a Certificate of Occupancy or Certificate of Re-Occupancy. The next one is a first reading to approve a handicap parking space in front of a resident's home on Seventh Street. The resident had to file an application which was reviewed and recommended by the Police Department. The last one is a bond ordinance which was mentioned by one of the speakers here tonight. It's \$2,890,000 for new replacement equipment, machinery and vehicles for the DPW, Police Department and Municipal Offices. Our engineer isn't here tonight but I want to give an update on the projects going on right now. Cambridge Avenue road improvements which we are being helped with the funding by the NJDOT Grant from 2022. Concrete work should wrap up today or tomorrow minus a few odds and ends that are not going to get done right away but milling and paving is scheduled for mid-August. Congress Street the contractor is doing concrete work now should be done next week. Milling and paving will follow shortly, not yet scheduled. The 2023 Road Program bids were received and should be awarded tonight to 4 Cleanup. They won the bid the contractor is looking to start in late August or early September and the project is to be completed this year. Alberta Drive this is a 2023 Department of Transportation Grant that we received is currently out to bid we expect it to be awarded at the mid-August meeting plenty of time for a contractor to complete the work this year. Midland Avenue and Hobson

Water Main Project the bids were received today prices came in a little bit higher than anticipated so we have to review and see where we're going to go with that. Speed humps one of our residents came and spoke about that. We put out a survey on Schepis Avenue we did get the deadline to receive them was the end of July. The majority of the residents I think it was 25 yes 14 no and we didn't receive a lot back. We did reach out to some of the people I did personally that I know from the area and it was half and half they really didn't care either way that's why they didn't return the survey. Also I mentioned this last month we're putting them on Strathmore Terrace that was decided last year. Residents signed a petition requesting them last year and with all the roadwork being done we couldn't get it done. The Police Department did a traffic study on South Broadway it's another location that we get a lot of complaints about speeding. We're still reviewing the data but preliminarily it looks like there is justification for a speed hump there but we will go through the process of surveying the residents to see if it's something that they want. Rolling reassessment assessors from Associated Appraisal Group have been in the area especially by Liberty, Lincoln the Leswing's. The public has been notified via social media, our website and Our Town TV. The assessors have photo ID if you're not home they'll leave a card with instructions on how to contact them. We had the Fishing Derby as Thomas alluded to on June 17th. I want to thank the Mayor's Youth Group, Boy Scouts, Saddle Brook Volunteer Ambulance Corps, Andy Gallo our Rec Director and my secretary Christine Genuario. The fireworks were Monday July the 3rd they went off real well. It was touch and go there with the weather but we did get them in. I want to thank the Police Department, Public Works, Volunteer Fire Department, Volunteer Ambulance Corps, Fire Prevention, Emergency Management Coordinator, special thanks to Thomas Van Winkle for taking photos, Raphael Gonzalez for filming and Tommy Purple Hayes and Drums for Heaven for performing at the park and again we must also remember our vets those currently serving and those who served and fought for our freedom. Upcoming events we have two concerts. I'm going to put up this poster. We made up these posters this year. It's already on Our Town TV, the website and social media. Last year we had a lot of people who said they weren't aware of the concert so we wanted to make sure and we're going back to the old fashioned printing out posters and putting them along Market Street in businesses so that people see them when they go to those establishments. There's two summer concerts it's next week July 25th 7pm is Mushmouth here at the Municipal Complex and then August 3rd 7pm is Forever Young it's a doo wop oldies band here again at the Municipal Complex. We have National Night Out which is Tuesday August 1st right here six o'clock at the Municipal Complex. The first Junior Police Academy is going to be August 14th through the 18th they have 34 kids registered at this time. The Township Picnic is Saturday August 26th with a rain date of Sunday August 27th. Residents can pick up tickets here at the Recreation Center. The recreation Center is open from 7 am to 9 pm also the Senior Center and Saddle Brook Library during normal business hours. I just want to wish everybody a happy summer. I too want to bring up my good buddy Dom Mazzone who passed away recently and Dom was as Omar said he was part of the Town for a long time 65 years he lived in Town. He was a Planning Board member very involved in other activities as well and he was a good guy. Anybody that knew him he liked to joke around and needle people a little bit but if he did that to you he always meant well and

that meant he liked you so God bless his family and my condolences to them and I hope to see Dom someday again. Thank you.

Councilman Accomando – I'm going to be short. I just want to wish everybody a safe summer enjoy the rest of your summer. Do come out on August 1st and support your first responders for National Night Out here at 55 Mayhill and as far as the picnic goes we're always looking for volunteers to help out no matter what it is. It could be helping with vendors helping them bring food to the seniors. Handing out pamphlets whatever it is just helping out and I just want to wish my son Gavin a happy 16th birthday. Enjoy the rest of your summer.

Councilwoman Sanchez – I just want to touch on Dom too because you know I recently met him I didn't know him like a lot of other people did but I did meet him last year and he was always very friendly, always very nice, always had something to say and it's very sad to hear of his passing and my heart goes out to the family. I'm sorry to hear about that. I hope everybody is having a good summer so far.

Councilman Cimiluca – The fireworks went off in spite of the rain. They actually made the call which was a good decision to start them fifteen minutes earlier than they were supposed to and they were able to get it in right before the real fireworks started in the sky God's fireworks. Just to show that no good deed goes unpunished got some complaints that we started it early and people didn't come and some people were upset that they didn't see the beginning of it. It was the right call. Concerts are going to be a great thing next Tuesday the following Thursday. They start from the fifties in terms of music all the way up to the eighties and nineties. Two bands looked at them on You Tube and they've got a good following so we expect a good crowd. Come out bring your chair and hopefully we'll have more people than last year and last year we had one concert and this year we have two. Who knows with continued support from the residents and potential support from donors maybe next year will be three or four. The Mayor had mentioned something about South Broadway. In my review of the speed data it does seem that South Broadway had a higher average speed than some of the other streets in Town. I kind of thought that when I go down that street it just seems it's a wide street and I believe that it may be the appropriate spot for a speed hump. Mr. Rodriguez had mentioned something about Lanza I think that that speed hump is designed in accordance with state regulations so I don't know if that's any different from any other speed hump. I may be wrong but there may be scrapes on it there may be some oil and things like that most likely because people tend to ignore it. I've been witness to going over a speed hump and slowing down for a speed hump and getting beeped at. I'm sitting at a corner at a stop sign and seeing someone go over a speed hump and they're going thirty miles an hour and they did not slow down at all and yeah there was scraping and sparks flying. You've got to smarten up it's a speed hump and it's there for a reason it's for your safety the safety of your children safety of pedestrians. One of our main complaints that we all get when we're stopped at a Krauszer's or Quick Check is everyone is speeding down my block everybody thinks that their block is a speedway. There's only certain things that we can do and that's one of them so that's why we had this committee and that's why

we've been trying to do that. I am fully in support of the ordinances. I do believe that the ordinance establishing new fines and the range of fines for property maintenance violations is appropriate because I think some people just feel that it's the cost of doing business but here they're going to have to come to court because it is not a set fine it is up to the judge. The initial fines range and then if you've got a second offense it goes up exponentially but you've got to come to court so you've got to take the time to come to court and it's in the judge's discretion. If the judge sees a multiple violator it's going to cost you so again all we ask is just do the right thing. It's not hard to do the right thing. A couple of the resolutions we have we have a resolution of support that I mentioned at the work session and I believe that it is appropriate to extend the third round or to put a pause in the third round of the COAH obligations before the fourth round starts to give it another three years to get set because COAH restrictions and requirements are very difficult for towns and they could eventually end up being very costly to the taxpayers. The other one is I didn't realize that there's some governing body for firefighters maybe it's underwriters for fireman that put the age of fire trucks at 10 years. I guess through their investigations and their research they felt that it was too short so they would like to extend it to 20 years which would help with the bonding and also this way you can right now you're prohibited from bonding for cars and station wagons. I don't know if they even make a station wagon anymore so I don't know where that comes into play but this resolution in support of some legislation that's out there both in the Assembly and the Senate to extend it to 20 years and I think that would help the public. Lastly again like everyone said condolences to the Mazzone family he's been my pizza buddy at the last number of picnics handing out pizza just box after box after box and he was a character. It was fun working with him so again condolences to the family and I wish Flo a full and speedy recovery.

Council President Gieriek – I too would like to mention Dominic Mazzone he was a good friend to many people up here and throughout the Township. I know he was a very good friend to the Mayor and to Mr. Rodriguez he's a great man on the Planning Board gave back to the community so I'd just like to acknowledge him and wish him forever peace. I would also like to wish all of our residents a happy summer. Hopefully, we get a little bit dryer weather not so much humidity because it's been rough so far. We're going to move on now to the ordinances. Thank you.

ORDINANCES

1. ORDINANCE #1736-23 – SECOND READING

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 154 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED "PROPERTY MAINTENANCE".

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

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

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

The Township Clerk reads the ordinance by title on second reading:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 154 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “PROPERTY MAINTENANCE”.

Council President Gierrek asked for a motion to open the meeting to the public for this ordinance only.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

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

Council President Gierrek announces that the public hearing on this ordinance is open and that all persons interested may now have the opportunity to be heard.

Seeing no one Council President Gierrek asked for a motion to close the public hearing.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

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

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

The Township Clerk reads the resolution as follows:

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled:

CR# 723-116

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 154 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “PROPERTY MAINTENANCE”. does now pass on second and final reading and that the Township Clerk be directed to advertise said ordinance or title thereof, in the press, together with a notice of the date of passage of said ordinance according to law.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierrek – yes

2. ORDINANCE #1737-23 – SECOND READING

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 196 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “VEHICLES AND TRAFFIC”.

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

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierrek – yes

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 196 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “VEHICLES AND TRAFFIC”.

Council President Gierек asks for a motion in order that the public hearing on this ordinance be opened.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

Council President Gierек announces that the public hearing on this ordinance is open and that all persons interested may now have the opportunity to be heard.

Council President Gierек seeing no one asks for a motion to close the hearing on this ordinance.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

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

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

The Township Clerk then reads the resolution as follows:

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled:

CR# 723-117

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 196 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “VEHICLES AND TRAFFIC”. does now pass on second and final reading and that the Township Clerk be directed to advertise said ordinance or title thereof, in the press, together with a notice of the date of passage of said ordinance according to law.

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll Call:

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

3. ORDINANCE #1738-23 – SECOND READING

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 206 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “ZONING”.

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

Motion: Councilman Accomando

Second: Councilman Cimiluca

Roll Call:

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

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 206 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “ZONING”.

Council President Gierrek asks for a motion in order that the public hearing on this ordinance be opened.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

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

Council President Gierrek announces that the public hearing on this ordinance is open and that all persons interested may now have the opportunity to be heard.
Council President Gierrek seeing no one asks for a motion to close the hearing on this ordinance.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierrek – yes

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the ordinance entitled:

CR# 723-118

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 206 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK ENTITLED “ZONING”. 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 Sanchez

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca - yes

Councilman Accomando - yes

Councilwoman Sanchez – yes

Councilwoman Mazzer - absent

Council President Gierrek - yes

4. ORDINANCE #1740-23 – FIRST READING

Council President: The next order of business is the introduction of
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 106, HANDICAPPED PARKING, OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK TO PROVIDE FOR A HANDICAPPED PARKING SPACE IN FRONT OF 142 N. SEVENTH STREET
be passed and adopted on first reading.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

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

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

Clerk: Then reads the resolution as follows:

BE IT RESOLVED by the Township Council of the Township of Saddle Brook:

CR# 723-119

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 106, HANDICAPPED PARKING, OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK TO PROVIDE FOR A HANDICAPPED PARKING SPACE IN FRONT OF 142 N. SEVENTH STREET heretofore passed on first reading, be further considered for final passage at a meeting to be held on the 17TH day of August, 2023 at 7:00 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 Sanchez

Second: Councilman Accomando

Roll Call:

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

5. ORDINANCE #1741-23 – FIRST READING

Council President: The next order of business is the introduction of
BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,890,000 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 Sanchez

Second: Councilman Accomando

Roll Call:

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

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

Clerk: Then reads the resolution as follows:

BE IT RESOLVED by the Township Council of the Township of Saddle Brook:

CR# 723-120

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, IN THE COUNTY

OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,890,000 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 17th day of August, 2023 at 7:00 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: Councilwoman Sanchez

Roll Call:

Councilman Cimiluca - yes
Councilman Accomando - yes
Councilwoman Sanchez – yes
Councilwoman Mazzer - absent
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.

Mr. Lo Dico – The minutes of the June 15th meeting is not part of the consent agenda and will be voted on separately.

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll call:

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

MINUTES

The Following is not part of the Consent Agenda:

Minutes of the June 15, 2023 Public Meeting

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez –yes

Councilwoman Mazzer – absent

Council President Gierrek – yes

* RESOLUTIONS

TOWNSHIP OF SADDLE BROOK RESOLUTION

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED FM & ASA, LLC V. TOWNSHIP OF SADDLE BROOK AT 550 NORTH MIDLAND AVE, BLOCK 1711, LOT 39 FOR TAX YEARS 2017 THROUGH 2022.

CR# 723-121

WHEREAS, FM & ASA, 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 550 North Midland Ave and identified on the Township's tax maps as Block 1711, Lot 39 for tax years 2017 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 2017 to be remain unchanged.
- 2) The assessment for tax year 2018 to be reduced from \$924,000 to \$880,800 resulting in a refund of \$1095.98.
- 3) The assessment for tax year 2019 to be reduced from \$955,000 to \$800,000 resulting in a refund of \$4,019.15.
- 4) The assessment for tax year 2020 to be reduced from \$980,000 to \$800,000 resulting in a refund of \$4,635.00.
- 5) The assessment for tax year 2021 to be reduced from \$1,000,800 to \$800,000 resulting in a refund of \$5,228.83.
- 6) The assessment for tax year 2022 to be reduced from \$1,073,900 to \$650,000 resulting in a refund of \$10,182.08.

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

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

THE TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 0723-122

WHEREAS, there is a need for the appointment of a temporary Administrator 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 \$75,000 for a period of July 1, 2023 through September 30, 2023.

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

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

**THE TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 0723-123

WHEREAS, the Township Council at the annual re-organization meeting for 3 signatures be required on checks – Mayor, Treasurer and Township Clerk, and

WHEREAS, the treasurer has resigned,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby authorizes the following signatures on checks – Mayor, Township Clerk, and Interim Business Administrator until September 30, 2023.

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierak – yes

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED NKA, LLC V. TOWNSHIP OF SADDLE BROOK AT 15 FIFTH STREET, BLOCK 707, LOT 9 FOR TAX YEARS 2020 THROUGH 2022.

CR# 723-124

WHEREAS, NKA, LLC has filed action with the Tax Court of New Jersey against the Township of Saddle Brook challenging the 3 tax assessed against property located at 15 Fifth Street and identified on the Township's tax maps as Block 707, Lot 9 for tax years 2020 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 2020 to be reduced from \$1,447,000 to \$1,300,000 resulting in a refund of \$3,785.25.
- 2) The assessment for tax year 2021 to be reduced from \$1,447,000 to \$1,300,000 resulting in a refund of \$3,827.88.
- 3) The assessment for tax year 2022 to remain unchanged.

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 723-125

BE IT RESOLVED by the Township Council of the Township of Saddle Brook County of Bergen, State of New Jersey that the following licenses be renewed for the year 2023-2024 and the Division of Alcoholic Beverage Control be so notified.

PLENARY RETAIL CONSUMPTION LICENSES

<u>STATE LICENSE NO.</u> <u>AMOUNT</u>	<u>NAME</u>
0257-33-016-010 \$1400.00	MJC Enterprise Holding, LLC T/A Midland Brew House 374 Midland Avenue Saddle Brook, NJ 07663

CLUB LICENSE

0257-31-019-001 \$100.00	Jamros Baker Schneider Post American Legion 302 Midland Avenue Saddle Brook, NJ 07663
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Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION SUPPORTING BILL S3739/A5402 PAUSING AFFORDABLE HOUSING OBLIGATIONS

CR# 723-126

WHEREAS, the Township of Saddle Brook endorses Bill S3739/A5402 to preserve the currently established 3rd round obligations for an additional three years by legislating a pause in determining 4th round Affordable Housing obligations, including present and prospective need and related litigation, which is scheduled to commence July of 2025; and

WHEREAS, this would give all parties additional time to assess the efficacy and local impacts on the 3rd round agreements and give the legislature and the Governor time to reestablish their proper roles in balancing the needs of all stakeholders in this process; and

WHEREAS, New Jersey's municipalities, working through 3rd round obligations, require more time than has been allotted given the cascading effects of Covid; and

WHEREAS, municipalities are still sorting out the ripple effects of Covid lockdowns on their tax base and land use plans; and

WHEREAS, many builders are demanding more residential units than the infrastructure of our fully developed communities can safely and responsibly absorb faulting the post Covid record inflation that drives construction, debt financing and service costs to levels that incentivize builders to overreach; and

WHEREAS, municipalities should be allowed to work towards appropriately meeting the 3rd round commitments before adding yet another layer that public health safety & welfare, limited infrastructure, hyper-local environmental and infrastructure challenges and fiscal realities may show to be unrealistic.

NOW THEREFORE BEING RESOLVED, the Township of Saddle Brook strongly endorses Bill S3739/A5402 and believes that extending our 3rd round obligation to 2028 will present a clearer picture of how each of the towns fared in meeting their goals and might also reveal the hyper-local environmental and infrastructure challenges each municipality is facing in achieving those goals.

BE IT FURTHER RESOLVED, that our municipality should be allowed to work towards appropriately meeting the 3rd round commitments, before adding yet another layer of unrealistic allocation – allocation that disregard the structural limitations, costs and ancillary impacts on our already burdened taxpayers.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Murphy, the members of the New Jersey Senate and Assembly representing the Township of Saddle Brook; the League of Municipalities; and all Bergen County municipalities.

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

Councilman Cimiluca - yes

Councilman Accomando - yes

Councilwoman Sanchez - yes

Councilwoman Mazzer - absent

Council President Gierek - yes

**TOWNSHIP OF SADDLE BROOK
RESOLUTION IN SUPPORT OF SENATE BILL NO. 3807 AND ASSEMBLY BILL NO.
5567 WHICH SEEK TO AMEND LOCAL BOND LAW**

CR# 723-127

WHEREAS, the Local Bond Law, specifically N.J.S.A. 40A:2-22, sets the useful life of fire engines, apparatus, and equipment, when purchased new, at ten years and prohibits the bonding of passenger cars and station wagons; and

WHEREAS, the useful life fire engines, apparatus, and equipment, when purchased new, and the prohibition on the bonding of passenger cars and station wagons have been unchanged since this section of the law was enacted by P.L. 1964, c.133; and

WHEREAS, Fire Underwriters Survey has published the document entitled Insurance Grading Recognition of Used and Rebuilt Fire Apparatus, which states that apparatus should be retired at 20 years of age unless the apparatus meets the recommended annual, service, and acceptance level tests and has been deemed in excellent mechanical condition; and

WHEREAS, Senate Bill No. 3807 and its companion Assembly Bill No. 5567 seek to amend in part section 22 of the Local Bond Law to amend the maximum usefulness of fire engines, apparatus, and equipment, when purchased new, from 10 years to 20 years, and to remove the prohibition on the bonding of passenger cars and station wagons

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Saddle Brook, in the County of Bergen, State of New Jersey, does hereby support the passage of Senate Bill No. 3807 and its companion Assembly Bill No. 5567, which seek to amend in part section 22 of the Local Bond Law to amend the maximum usefulness of fire engines, apparatus, and equipment, when purchased new, from 10 years to 20 years and to remove the prohibition of the bonding of passenger cars and station wagons

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to Governor Philip D. Murphy, Senate President Nicholas P. Scutari, Speaker of the General Assembly Craig J. Coughlin, Senator Joseph A. Lagana, Assemblyman Christopher Tully and Assemblywoman Lisa Swain, and the New Jersey League of Municipalities

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

Councilman Cimiluca - yes

Councilman Accomando - yes

Councilwoman Sanchez - yes

Councilwoman Mazzer - absent

Council President Gierak - yes

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 723-128

WHEREAS, the Township of Saddle Brook advertised for bids for the 2023 Road Improvement Program and,

WHEREAS, 8 bids were received and opened on July 13, 2023, and

WHEREAS, in a letter dated July 14, 2023 the Township Engineer has recommended to award the contract to 4 Clean-Up Inc., P.O. Box 5098, North Bergen NJ 07047 with the base bid of \$516,645.00 and Alternate #1 in the amount of \$72,277.60 for a total of \$588,938.20

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby awards the bid to 4 Clean-Up in the amount of \$588,938.20 after review by the Township Attorney and providing funds are available.

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

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

**ANNUAL APPOINTMENT OF MUNICIPAL REPRESENTATIVES TO
BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE
FY 2023 - 2024 Covering Period July 1, 2023 through June 30, 2024**

**A RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL REPRESENTATIVES
TO BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE**

CR# 723-129

WHEREAS, the Township of Saddle Brook has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Township Council to appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2022-2023 term starting July 1, 2023 and ending on June 30, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Township Council hereby appoints Councilman Andrew Cimiluca as its representative and Councilwoman Florence Mazzer as its alternate and that the Mayor hereby appoints Mayor Robert D. White as his representative and Peter Lo Dico as his alternate to serve on the Community Development Regional Committee for FY 2023-2024; and

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 | resposito@co.bergen.nj.us

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 0723-130

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 **\$1,143,337.06** 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 OFF LINE CHECKS.

Motion: Councilwoman Sanchez

Second: Councilman Cimiluca

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 0723-131

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 **\$981,046.82** 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 Sanchez

Second: Councilman Cimiluca

Roll Call:

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

* CORRESPONDENCE

1. LOU VERILE, VFW COMMANDER

TO: MAYOR AND COUNCIL

RE: THANKS – MEMORIAL DAY PARADE
DONATION

DATE: JUNE 22, 2023



Romaine - Sinniger
Post 3484

JUNE 22, 2023

TWP OF SADDLE BROOK
55 MAYHILL ST
SADDLE BROOK, NJ 07663

DEAR MAYOR AND COUNCIL

ON BEHALF OF THE SADDLE BROOK VFW POST 3484 I WOULD LIKE TO
THANK YOU FOR YOUR GENEROUS DONATION TO OUR PARADE ON
MAY 28.

IT WAS A GREAT DAY FOR ALL. THE WEATHER WAS GREAT, WE HAD A
LARGE TURN OUT, AND A GOOD TIME WAS HAD BY ALL. AS LONG AS
WE HAVE THE SUPPORT OF OUR COMMUNITY WE WILL KEEP THIS
GREAT TRADITION ALIVE.

ONCE AGAIN I THANK YOU FOR YOUR SUPPORT.

BEST REGARDS

LOU VERILE
COMMANDER
SADDLE BROOK VFW
POST 3484

RECEIVED TOWNSHIP CLERK
23 JUN 26 PM 1:42

C-1

44 Market Street
Saddle Brook, NJ 07663-4832
201-843-9540

7/20/23

208

2. ANTHONY CIALONE, PLAN BD ATTY
TO: MAYOR AND COUNCIL

RE: ORDINANCE #1738-23 – CH 206 SIDEWALK
DATE: JUNE 22, 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*

FLORENCE D. NOLAN**
OF COUNSEL

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

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

June 22, 2023

**BY EMAIL AND
REGULAR MAIL**

Mayor and Council
Township of Saddle Brook
55 Mayhill Street
Saddle Brook, New Jersey 07663

Re: Review of Ordinance No. 1738-23

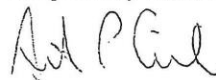
To the Honorable Mayor and Council of the Township of Saddle Brook:

I write to you in my capacity as the Attorney to the Saddle Brook Planning Board. You have referred to the Planning Board for review and comment the above-listed proposed Ordinance No. 1738-23 of the Township of Saddle Brook. Pursuant to the provisions of *N.J.S.A. 40:55D-26(a)*, this Ordinance was considered at the Planning Board's regular meeting of June 19, 2023. The Planning Board has authorized me to write this letter report to the Mayor and Council.

The Planning Board determines that the proposed Ordinance is consistent with the master plan and recommends its adoption without amendment or modification, other than the correction of the chapter number in the Ordinance's title so that it accurately states "Chapter 206".

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

Respectfully submitted,



Anthony P. Cialone

C-2

APC:cas

cc: Saddle Brook Planning Board, c/o Jayne Kapner, Board Secretary, By Email

RECEIVED TOWNSHIP CLERK
23 JUN 22 AM 11:39

F:\home\Carole\Saddle Brook Planning Board\Letter to M&C re ordinance review 6-2023.docx

7/20/23

209

3. ROBERT KLEIN, TWP. ENG.

TO: MAUREEN RUANE, INT BUS AD.

RE: BID AWARD 4-CLEAN UP-2023 ROAD
PROGRAM

DATE: JULY 14, 2023



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

July 14, 2023

Maureen Ruane, Interim Township Administrator
Township of Saddle Brook
55 Mayhill Street
Saddle Brook, New Jersey 07663

Re: Township of Saddle Brook
2023 Saddle Brook Road Program
Recommendation to Award
RVE File No. 0257-T-111

Dear Ms. Ruane,

We have tabulated the bids received on Thursday, July 13, 2023 for the above-captioned project and find the lowest bidder to be 4 Clean Up, Inc. P.O. Box 5098, North Bergen, NJ 07047 in the amount of \$588,938.20; representing Items #1-40 on the base bid and Items #A1.1-A1.16 on Alternate Bid No. 1.

4 Clean Up, Inc. made a small mathematical error on Base Bid Item #15 but this does not affect their standing as the lowest bidder.

A copy of the tabulation is enclosed for your review.

Therefore, in accordance with the Local Public Contracts Law, NJSA 40A:11-1 et seq, the contract should be awarded to the lowest responsible bidder, which appears to be 4 Clean Up, Inc.

This award recommendation is contingent upon review and approval of the bids by the Town Attorney and the availability of funds as certified by the Finance Department.

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

Sincerely,
REMINGTON VERNICK ENGINEERS, INC.

Robert J. Klein, P.E.
Township Engineer

cc: Mayor White
Pete Lo Dico
Vince Buono
Frank Barrale

C-3

RECEIVED TOWNSHIP CLERK
23 JUL 14 PM 12:04

7/20/23

*** APPLICATIONS**

Raffles

1. BA# 1373 – St. Philips Church – BINGO
2. RA# 1374 – Our Lady of Mount Virgin RC Church - Raffle

*** REPORTS**

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

OLD BUSINESS

Mayor White – I wanted to mention there was a lot of talk about the speed humps and it was mentioned about taking the speed hump off of Liberty and I want to say that Councilman Cimiluca and I are known to disagree on occasion and that was one of those that he didn't agree with removing the speed hump and I have to say he was right. That was a mistake. Taking that speed hump off of that road was a mistake and I'm going to tell you why. The majority I can't tell you how many complaints I got when we took it off. There was maybe some issues with it being put on that weren't done correctly, not that the hump was put on incorrectly or installed incorrectly. We could have done a better job and we have been doing that since then of notifying the public asking their opinion whether they wanted it whether they didn't want it in front of their house overall that was a mistake. Mr. Rodriguez mentioned about a speed hump on Lanza. First off I don't know about the accident and I don't believe your lying about that but I'm a little annoyed that my Police Department that I don't know about an accident of that nature but I don't know about it. When did it happen just a date around Mr. Rodriguez? Let me just go on it was probably a couple of weeks ago but again I was not aware of it but that's another location. That's a school zone if we would've removed that hump we ought to make sure it was installed properly I think it was you say it's not reflectorized.

Council President Gierke – Mayor can I, I did reach out to you there was an accident on Caldwell where the apparatus from the telephone pole fell off. I spoke to the mother of

the driver and she said there was a cat that ran across the street it was nowhere near a speed bump if that was the same accident. Was it an Audi vehicle?

Mr. Rodriguez – It was a white Audi.

Council President Gierak – That's the vehicle I spoke to the mother of the driver of that vehicle who stated to me that a cat ran across the street she swerved to avoid the cat and hit that telephone pole so it was nowhere near any speed bump. I apologize Mayor continue please.

Mayor White – What I was going to say is if it is properly installed which I believe it is our engineer is in coordination and he's the one who does the plans for them and they're done according to the Department of Transportation guidelines. I'm sure it was done right but we can take a look at that if it's not. Then we have to correct that. To just remove that hump this whole room would be filled with parents. It's a school zone. It's a matter of safety over there. I wanted to mention too to the public that we do and this was mentioned by Ms. Murray last meeting and it got brought up tonight with Dom being my alternate on the Planning Board we really do need Planning Board and Board of Adjustment alternates. We're already short one on the Planning Board and I know the Board of Adjustment I think is two down. If anybody out there it's a volunteer position but if you want to volunteer your time and learn a little bit about the Town and about zoning and help out please reach out to Pete Lo Dico our Town Clerk and let him know or reach out to one of us. Our next meeting at our next work session maybe we'll have some names that we can you really do need to especially the Board of Adjustment. That's all thank you.

Councilman Cimiluca – I just wanted to address something Ms. Murray had mentioned about the one business being a certain distance from another. In terms of the manufacturing my understanding from talking to people and going to seminars and talking to not only people in the business but some political people that are involved in this. With the manufacturing there is no signage there is a little if any vehicular traffic and I understand the worry about having a number of different things together but in my eyes the manufacturing of a cannabis product at this stage and again it's a legal product. The manufacturing is probably no different than if you're manufacturing brake pads and you've got a manufacturing of brake pads at 101 Route 46 and you have a manufacturer of brake pads at 103 Route 46 there's no one coming in and out other than I guess deliveries for products and sending them out but there is no retail. I totally understand the worry about if the distance between different retail establishments because that's going to draw some foot traffic and vehicular traffic but I don't think that really we have to worry too much about the vehicular traffic concerns for manufacturing. It's my understanding there is no advertising there's no signage. There's not going to be a bid sign saying Joe's Cannabis Manufacturer anything like that. I heard that and I don't think that's a real concern. I don't want to put it that way if you have a concern you have a concern but in reality I don't think it's going to affect traffic I don't think it's going to be bad for the community to have a manufacturer located within a thousand feet of another manufacturer. That's just my

opinion from what I have heard in terms of what the manufacturing operations are like and what kind of traffic they draw. Thank you.

Councilman Accomando – When it comes to the committee we have we're pretty strict with the people that come here and what boggles my mind not only in this town but every other town is that people worried about dispensaries coming to town manufacturing grow whatever but you have these little mom and pop stores coming like the one right up the street Legal Leaf. They come to town these little mom and pops come they sell the same thing that these dispensaries sell they're not governed they don't have to come before the Zoning Board they don't have to come before the Planning Board and they sell pretty much the same product as a dispensary. If people start doing some of their homework I guess would be my words. There's no restrictions for these businesses to come and that's where most of these kids are getting their CBD pens their marijuana pens their paraphernalia. They're not getting it from the legal dispensaries they're getting it from these mom and pops that show up make their money and get shut down in a couple of months or a year or two. If people want to be concerned about something don't be concerned about something legal be concerned about a business that's doing the same thing and not governed by the State or governed by the Township Governing Body.

NEW BUSINESS

Councilman Accomando – I would like to present a resolution tonight.
Councilman Accomando reads the resolution.

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 723-132

WHEREAS, veterans have served our country defending our freedoms at home and abroad, and

WHEREAS, our veterans deserve the respect and admiration of every citizen of the United States, and

WHEREAS, one way to recognize and show our appreciation for the sacrifices and contributions veterans made is by reserving parking spaces for veterans at our municipal complex,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby designates 2 parking spaces to be signed appropriately for veteran only parking,

Motion: Councilman Accomando

Second: Councilman Cimiluca

Councilman Cimiluca – With that being said with the motion and the second I know that I myself have a handicap placard. You have to apply for it get a doctor's note is there a placard that a veteran would have? Would there be something that would be a sticker on the vehicle how would the enforcement authority know that they are in fact a veteran?

Councilman Accomando – I believe it's their military ID that states whether they are a combat veteran, veteran, Purple Heart recipient. I believe that's on would that be right?

Councilman Cimiluca – I get that but that would be in their wallet and that would not be when the parking enforcement authority goes and looks just like they go and see somebody without a handicap placard parked in a handicap spot they would issue a summons. How would that person designate that vehicle as being owned and or operated by a veteran so this way they would know.

Councilman Accomando – Other than veteran license plates?

Mr. Schettino – If I could through the Chair. Other towns have taken a similar type of action. It's more of a courtesy and an honor system because to your point it would be very difficult to enforce because there aren't placards there aren't permits it's more of hoping that the public respects the veterans and that they see a sign that says, "Parking for Veterans Only" and if they're not one they're going to take the space. I have to say you have an abundance of parking out there so I would think that again someone would park in an open space versus taking a spot designated for the veterans but it would be difficult to enforce basically if someone was not a veteran and there was a complaint the police officer would then have to ask the person who took the space do you have ID identifying yourself as a veteran. It would really depend upon an honor system and I have to say fortunately at least the towns I'm involved in it hasn't been an issue with respect to enforcement because I think even when there is no parking spaces and that's the only space open it will be left empty if there's not a veteran occupying it.

Councilwoman Sanchez – The State has veteran disability placards like disabled veteran placards and they also have Purple Heart placards and then veterans can also apply for veteran plates through motor vehicle too so that is another way to identify them.

Council President Gierrek – We have a motion and a second can we have a roll call.

Roll call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierrek – yes

Mayor White – I just want to thank Councilman Accomando for that it was a really good idea for the veteran spaces.

Councilman Accomando – I also did see for Purple Heart recipient they actually painted the lines purple and they put a purple heart in the middle of the parking spot. We do have a few Purple Heart recipients in Town.

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

Motion: Councilman Cimiluca

Second: Councilman Accomando

Roll call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierrek – yes

Council President Gierrek – Anyone wish to address the Council?

Mr. Rodriguez comes forward. There's an approval of resolution 2 how long are you going to be reappointing this firm when it's been a year already and it's \$300,000.

Mayor White – It's almost a year but yes.

Mr. Rodriguez – At the end of that term it's going to be a year.

Council President Gierrek – You're talking about the interim BA correct.

Mr. Rodriguez – That is correct. The point I'm trying to make I believe the Mayor and Council are going to try to finally search for the proper candidate because it is my recollection in the last thirty years mainly it's actually being the Mayor or a part timer in this case Pete Lo Dico doing it for \$5000 maybe the needs of the Town are bigger now you guys need a full time Business Administrator but since it's been a year I believe this should be the last extension of such a contract for the benefit of the residents and the Town and actually they should be the one leading the force of trying to recruit the proper people.

Council President Gierrek – Mr. Rodriguez we are in the process of setting up a committee that will meet and we will be posting for the position and interviewing very shortly.

Mr. Rodriguez – Great to hear that. That's the point that I wanted to make in three minutes there are a lot of things you can't say too quick. I know the speed bumps are great I never said they need to be removed on Lanza Avenue because I live around the corner around

that speed bump but I was trying to say months ago is that it should be painted in a neon color or something like that because we the residents that live over there when it rains it's very hard to see it because it's uphill. What about the residents that do not live in the area those cars are going to be damaged and somehow the Town has to be liable for some of those calls. Finally Mr. Attorney trying to correct me and I believe that he's wrong. What I was trying to tell the Council is that we have to learn from the mistakes that happen just with Chief Kugler even though that he has been cleared of all this we the taxpayers and you as well have to pay out the costs what's going to happen at the end of the year when the Mayor calls for a test? One of the three candidates is going to be the new chief can we put something in place for this not to occur again in the future that's what I was trying to say. We have to leave this as an experience. It's very bad not just for the Kugler family for the entire Saddle Brook family. Let's try to see if we can create an ordinance or something for any chief that is sitting. I don't know about this if it's possible to limit if he can campaign or not during his service. That I don't know I leave it up to you but I was just hoping that. Thank you all for your time.

Council President Gieriek – Anyone else wish to address the council on agenda items only? Seeing no one motion to close.

Motion: Councilman Cimiluca

Second: Councilwoman Sanchez

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gieriek – yes

Council President Gieriek – Does anyone else have any final comments?

Councilman Cimiluca – I just wanted to bring up I don't know if it's been brought up. Our next meeting our work session will be on the 17th prior to our regular meeting normally it would be on the 3rd which is a Thursday and we're having a concert so we are going to do our work session first and I believe Mr. Gieriek would be five thirty.

Council President Gieriek – Yes.

Councilman Cimiluca – The regular meeting will be immediately after. Just anyone who is looking to attend or looking for information about the normally scheduled day the first Thursday of the month it's not going to be then it will be the third Thursday of the month before the regular meeting.

Council President Gieriek – Motion to adjourn the meeting.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll call:

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

Meeting adjourned at 8:02 P.M.

Respectfully submitted,

Peter Lo Dico, RMC, CMC
Township Clerk

David Gierrek
Council President

Approved: August 17, 2023