

The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on August 17, 2023, at 7:00 PM at the Saddle Brook Municipal Complex, 55 Mayhill Street, Saddle Brook, NJ 07663.

Council President Gierrek is not in attendance.

The Township Clerk called the roll:

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

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

Councilman Accomando Makes a motion seconded by Councilwoman Sanchez to nominate Councilman Cimiluca as acting Council President.

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

Acting Council President Cimiluca asked all to rise for the salute to the flag and to remain standing for a moment of silence in memory of Lieutenant Governor Sheila Oliver.

Acting Council President Cimiluca 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.

Acting Council President Cimiluca asks for a motion to open the meeting to the public.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierrek – absent

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

Thomas Van Winkle of 128 Lincoln Avenue comes forward. I'm just going to give my Mayor's Youth Group monthly report. Looking back on what we've done since the last Council Meeting we've had an outing at Humdinger's in Paramus on July 31st. They have bowling and arcade and pizza and ice cream. Everyone had a wonderful time. It's our way of thanking our members for all they do all the community service attending events and helping out. I do want to mention this week we had the Junior Police Academy. A few of our Youth Group members have been going to the Police Academy this week so I did want to mention that. It goes to show we have a fine group of young individuals who are part of our Mayor's Youth Group and they're always willing to help out any way they can. Going off of that looking ahead to the next school year I did update the registration form on our website just to reflect the new school year for 2023-2024. Our Youth Group is always open to anyone in grades 4 through 12 who reside in Saddle Brook so even if they go to Paramus Catholic or Bergen Tech they can join as long as they reside in Saddle Brook. The registration form asks some basic information and what they have to do just so we get to know them. Our registration is on our website which is sbmyg.weebly.com if anybody wants to register. We also ask them for their T-shirt size because we want to give them T-shirts that they are really part of our Youth Group. Looking ahead we are going to be helping out at the Township Picnic next Saturday August the 26th if it rains it will be August 27th. They will be helping to bring food and refreshments to the seniors. We always ask the Youth Group Members to come out every picnic and help out with that. That's from twelve to four at the County Park on Saddle River Road. Also that morning at 9:00 am we have the Mayor's Walk. I sent an email to our Youth Group Members inviting them to participate with the Mayor's Walk on the same day August 26th at 9:00 am. Looking ahead we're going to eventually meet in the fall to talk about the fall activities and we're going to look into electing new officers. That's all I have for now thank you.

Acting Council President Cimiluca – Thank you Thomas and Thomas did a great job taking pictures of our two summer concerts. They were posted on the website and he's a fantastic photographer. We thank him for all he does for the Town.

Lisa Gallagher of 300 Winston Drive #2908 Cliffside Park New Jersey comes forward. We have a lease for 217 Route 46 in Saddle Brook. We are a cannabis business we are a licensed manufacturer of the State of New Jersey. We are here today to hopefully see if the amendment to the ordinance increasing manufacturing from 5,000 square feet to I believe it's 12,500 is voted on. I think today might be a final vote. Our business is really dependent on it. Our state license is expiring and we already have one extension that we've used so there's no more extensions with the state we would have to literally reapply so we're just here to see how that goes.

Acting Council President Cimiluca – You're probably not going to be happy with my answer but at the work session we discussed this. There is an issue in the proposal that we are not sure how it affects possibly you and others so the intention of the Council is to table that ordinance vote until our next not work session we'll speak about it at the work session but what we're going to do is invite our Planner to the next work session which is the first Thursday in September to speak about it to kind of advise us as to how this would affect the businesses. What we spoke about before was in the public session but what we did was carve out as a Council an area on 46 to do this type of manufacturing and other things regarding cannabis however there's some language that's in here that if voted upon may actually limit the ability of businesses that we would ordinarily encourage to be in that location. It may prohibit them from being there. That is not our intention. There's some Language in there that they're wrestling with a little bit so what we want to do is speak to our Planner have our Planner come in talk to us tell us how that if it would affect what our intention was in looking to carve out a special district so to speak for that type of operation. Right now I know I wasn't comfortable with it and a couple of other members and the Mayor had some issues with the language. I brought it up and it seems like before we vote on something and then say oh jeez this is going to affect us not in the way we want to. We'd like to have our Planner here to show us maybe a graphic as to what our carve out is and if we pass this if it does affect that carve out.

Ms. Gallagher – If I may ask would that potentially inhibit us from manufacturing there and I know this is a Little, LLC problem but if it were only 5000 and we have this lease for 15,000 or 14,000 or 12,500 whatever that space may be and we can only manufacture in 5000 of it I would have to graciously and humbly try and ask the owners of that building to let us out of the lease because we would not be able to manufacture enough product to literally cover our rent.

Acting Council President Cimiluca – I can tell you that the issue that we have is not about the square footage it's about where it can be located vis a vis residential zones that's what we talked about. There is a prohibition and when we look at the carve out area it may have an unintended effect if we look at the distance between residential zones it may determine that half of these places that we carved out just specifically for this type of operation is no longer viable. That's not our intention so we need to know if that language is going to impact, it doesn't have any impact or you know we can keep it we can make it less we can toss it. We just need some guidance from our Planner.

Ms. Gallagher – I really need the square footage.

Mayor White – The issues aren't related to the square footage.

Ms. Gallagher – I know there's nothing residential around that building.

Ms. Gallagher's Attorney then spoke. What specifically is the Language that's different from the ordinance that exists now that was added into the language.

Mayor White – Part of the problem we're having here tonight and it's not any fault of anyone here but our Township Attorney is not here he's on vacation so we have an alternate here who did not write the ordinance and also the Planner who this went before the Planning Board as you probably know and we had our Township Planner do a report and he is also on vacation so you know what we don't want to do something here and regret it later. I'm sorry I'm sure you wanted this final thing to go through with the lease and all but the only thing I can say is I do believe that no one here has an issue with 12,500 square feet. That has nothing to do with that's not why we're tabling it tonight.

Ms. Gallagher's Attorney – What's the specific language?

Acting Council President Cimiluca – Five hundred feet from a residential zone.

Ms. Gallagher's Attorney – Is that the same in the ordinance that exists now?

Mayor White – I believe so. It should have been taken out. I hate to tell you I can't answer your question. I don't know and I should know but I'm sorry I don't. We're kind of a little confused here.

Ms. Gallagher's Attorney – The issue you think exists in the current ordinance.

Ms. Bicocchi – Well it may not exist in the current ordinance when the square footage was only 5000 but the question for the planning like it's probably not the 12,000 it's what happens there's only a certain amount of real estate carved out for this so in theory when the Planner did this because it's within his jurisdiction he figured this much square footage this far from a residential zone that works plenty for all the people that want it but if now the footage to be devoted gets bigger the question then becomes is that still feasible in this limited of a carve out still being 500 feet from the residential zone may need to be more. That's the question the question is how do the other numbers and the zone and like I said does that take out the whole carve out.

Ms. Gallagher's Attorney – So like if somebody put up a new building does that encroach on the.

Ms. Bicocchi – Yeah and maybe the answer is maybe you need to change the 500 feet whatever.

Ms. Gallagher's Attorney – The next meeting is in September then.

Acting Council President Cimiluca – The work session would be the first Thursday in September after Labor Day. Then the regular session would be two weeks after that. We're a little bit at an issue tonight because we had an outdoor concert on the third which would have been our normal work session where we could probably have worked all these issues out then come back tonight for the regular session but we're condensing it into having two meetings in one night sir between vacations and condensation of the two meetings into one it's like the perfect storm of badness.

Ms. Gallagher's Attorney – Yeah I know it happens in every town.

Ms. Bicocchi – Can I just ask what exactly what are your concerns right now.

Ms. Gallagher – We have the lease for Olympic Pools and they're cleaning the space out for us right now to move in and if we were able to only like I said before manufacture in 5000 square feet we surely wouldn't make enough product to cover the rent. I would have to somehow try to convince them to let us out of the lease and God forbid quite honestly if we waited another month and then nobody voted on the 12,500 in another month they probably would not let us out of the lease as much as they might right now. I don't even know if they would right now. That's why I say it's a Little, LLC issue but at this point I'm getting a little bit nervous and then on top of that we have to start build out. They should be finished cleaning it out in about a week we start build out and then we start investing money into the business and then you come back and it's only 5000 now we haven't even.

Acting Council President Cimiluca – We can assure you that we talked about the 12,500. The reason that this is here the cannabis committee discussed it and recommended the 12,500 that is absolutely not the issue. It's just we want a little more clarification. Now just to throw another thing at you is that the Planning Board recommendation they said that it was consistent with the Master Plan but they also said something about perhaps us considering making it 1000 feet between manufacturing businesses which we will discuss. I don't think there's any real support for that on this end but that was brought out so you may want to come to the work session and get some input and listen to us and the Planner try and get this thing together.

Ms. Gallagher – We will. We're aware that the Staples is also on the radar to be cannabis and it's less than 1000 so we'll be there for that thank you.

Acting Council President Cimiluca – You're welcome.

Mayor White – We also have that meeting on the 28th. I know that's strictly for the bond ordinance but we could also see if we can get the Planner and I don't know if Mr. Schettino will be back. Will he be back?

Ms. Bicocchi – Yeah He'll be back.

Acting Council President Cimiluca – Then what do you do you vote at the work session?

Mayor White – Well we could actually vote at that meeting. It's a special meeting anyway if we're ready. It depends on if we're ready.

Mr. Lo Dico – I have to advertise in the paper it's a public hearing. It takes five or six days to get in the Record but hopefully we can get it in for next week.

Acting Council President Cimiluca – My preference is to talk about it at the work session and then potentially get to vote on it. I would think that we would be able to vote on it by that time we'll have plenty of time to digest it but again if your concern is 12,500 that should not be your goal.

Ms. Gallagher's Attorney – The way it was described it's possible right that the Town Planner could come back and say that based on what you were saying that that envelope is too big because it somehow encroaches on the distance between.

Mayor White – That wasn't anything that came from the Planner that was something that was brought up at the Planning Board a resident brought that up and members of the Planning Board felt it wasn't a bad idea so that it was just a suggestion it wasn't saying that it had to be done.

Ms. Bicocchi – The Planner's already signed off on the 12,500 or it wouldn't even have been an issue. The question is now whether this goes further and then they feel obligated to look into it because of that.

Ms. Gallagher – I just want to say another thing to take into consideration in terms of the thousand that you're talking about because I feel relaxed about the 12,500 and now I'm worried about the 1000.

Acting Council President Cimiluca – Five hundred that was my mistake it's five hundred.

Ms. Gallagher – About being next to it I think you said a thousand feet next to another one.

Acting Council President Cimiluca – I was mistaken it's 500.

Ms. Gallagher – I think that that would probably be applicable to a dispensary from a retail perspective you would maybe be taking away from the guy or the girl 1000 feet from you but from our perspective manufacturing we supply hopefully the whole state so it wouldn't affect geographically our neighbor because why not a dispensary.

Acting Council President Cimiluca – I want to clarify we're talking about a thousand five hundred. The thousand was a suggestion from the Planning Board saying a thousand

from another manufacturing operation. The five hundred that's in the ordinance is five hundred feet from a residential zone.

Ms. Gallagher – I was just saying from us we're not selling to the public.

Acting Council President Cimiluca – I get it.

Ms. Gallagher – If we were next to a dispensary or another manufacturer or cultivator it wouldn't matter because there's no traffic.

Acting Council President Cimiluca – We've spoken about that we understand the difference between a retail and a manufacturer.

Ms. Gallagher – Thank you.

Acting Council President Cimiluca – What's the name of the company?

Ms. Gallagher – Little LLC.

Acting Council President Cimiluca – Okay thank you.

Omar Rodriguez of Saddle Brook comes forward. I have a problem with that business manufacturing big problem huge. When they originally came they just came for 5000 how come we can just throw the store away and just say 12,500 is not a problem. Of course it's a problem huge problem. Have any of you ever seen the plans? There is not a single manufacturing plant in the State of New Jersey yet. We don't know what is coming. Now as far as I'm concerned what I originally studied the project 5000 that's what they ask just because they came for 12,500 or 20,000 square feet we're going to say yes to anyone why? We need residents input. Why because it's in the ordinance when you read it and it's on the Planning Board and I would love to challenge the Planner and I will bring my attorney also because he says that he exceeds more than 10,000 square footage I think it is you have to go to the industrial park. This is a B2 this is not an industrial area and you're totally right on the thousand feet. I do not agree with that also I agree with Council President Cimiluca and the Mayor that we limit it now I'm going to talk about retail, manufacturing because everything is in the corridor on Route 46 then you will penalize other people that would like to go in the corridor that has to be called home for the cannabis industry. Now going back to the manufacturing and when I say something I know that I'm going to do it and I will challenge in court if you guys do not address of the attorney that if he exceeds 10,000 square foot he doesn't belong there. I didn't make much of a stink because it was 5000 and 5000 yes it goes into the B2. You will have to do a whole process in order to change the Master Plan of the Town you have to change the ordinance you have to change almost everything. My only question to finish this subject is I don't want just because they're here I don't want to say that we're bad neighbors but what is in it for us? Just from 5000 now that's the application that was approved and now I want 12,000 so what's going to be tomorrow I want 30,000. If we the residents that live around

the corner don't know the smell or the odor that it's going to bring I haven't seen any plans. None of you have ever seen one of these plans in the State of New Jersey. I don't know what they're coming. I don't know if they're going to boil it they're going to steam it I don't know nothing. I don't know what kind of air conditioning what kind of duct what kind of ventilation they're going to do it. What about when it rains what about when it's windy is it going to come it's going to be any odor it's going to stay inside how they're going to manufacture? Five thousand is one thing but now you almost tripling the capacity so I would love to see the meeting with the Planner. Let's not rushing today just because someone is just saying they need this. Let's just be cool headed and let's move on with all the professionals in place.

Acting Council President Cimiluca – Do you have another subject you want to talk about because you are beyond so I'll let you do another subject.

Mr. Rodriguez – The prior people here were talking fifteen minutes.

Acting Council President Cimiluca – You're taking more time by saying the time.

Mr. Rodriguez – I was thinking about what I said at the massage parlor on the work session one of the ideas or suggestions could be is it possible to send a letter to all the massage parlors to just remind them the hours of operation. That we have a law in town they have to close at a certain time otherwise when it's time for renewal next year they won't be approved. That might somehow remind them that we are going to take the law into our hands because they've been doing it for so many years and nobody does anything.

Acting Council President Cimiluca – That won't be a problem to mail them a letter with the hours of operation.

Mayor White – I know the business you're talking about they've been there for years. That's the first time I've heard a complaint about their hours.

Mr. Rodriguez – Two o'clock every day three o'clock.

Acting Council President Cimiluca – Like most things it's an enforcement issue. It's more of a zoning offense because if we as part of the zoning code a business cannot operate after a certain time then that would be a zoning violation. We have to get our Zoning Officer there. It's not so much a police enforcement matter it's more of a zoning issue.

Mr. Rodriguez – That on enforcement I don't know that.

Mayor White – I haven't heard of any I speak to the Police Department all the time. The police would probably get the complaint first.

Acting Council President Cimiluca – We'll speak to the Zoning Officer.

Mr. Rodriguez – Thank you. I will wait for the handicap but right now there is a question for the engineer but first on the Montana bidding it is \$982,000 award our engineer was thinking about \$775,000 so the bids came \$150,000 more. I know he is recommending to take the bid because it's the lowest bid but the State of New Jersey doesn't tell you that you don't have to take the lowest bid in this state because they came above the price we're looking for. Just in the name of transparency would it be any possibility to just bid it again? What would be the problem? Just bid it again and just make the pool of applicants bigger and who knows even the same company might come a lower price because they know that we're not taking \$982,000 just a suggestion.

Mr. Klein – We look at it from that standpoint I'll compare it to the Hutter Street one we only got two bids. For the water main we got six bids they're clustered too close together I don't see going out to bid I don't see it getting a lower price. Sometimes you get a higher price. For that reason I recommended taking the bid. We can get the project going and reap the benefit of it.

Mr. Rodriguez – That will be up to the Council to decide and the last question then you in correspondence number three you presented a proposal to the Town for \$365,000 for the scope of your work on coming on the Mayhill Pump Station and several other projects. I'm just reading it real quick. My question to you is you're basing your \$365,000 for your company based on what on the percentage of the total project estimated total value like some town does or you are basing the \$365,000 on the hours that you're going to input on trying to put all that work together in order to go out to bid?

Mr. Klein – It's based on the effort we think it will take to get the project done soup to nuts so it includes design, dealing with the grant, bidding, construction management the whole thing. It's not based on a percentage of construction although we may look at it as guidance. It is based on the effort, number of hours.

Mr. Rodriguez – So in an hourly fee put it that way?

Mr. Klein – Yes.

Mr. Rodriguez – Thank you very much.

Acting Council President Cimiluca – Thank you Mr. Rodriguez anyone that wishes to address the Council?

Ms. Gallagher's Attorney – Can I address that?

Acting Council President Cimiluca – Since it's an agenda item you'll get a shot at the end if you want to stick around. Any other members of the public wish to address the Council? Seeing none I will ask for a motion to close to the public.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

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

COMMENTS

Mayor White – Regarding the budget we spoke a little bit about it. The assessments on the properties went up but fortunately for us the tax rate went down. The tax rate is 2.366 and as I said it went down from 2022. The total increase is \$286.00 on the average house of \$434,000. The third quarter taxes will be going out in the middle of September payment will be due October 1st with a ten day grace period. Ordinances you know about tabling the final reading on the cannabis manufacturing. We also have a final 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. I mentioned this before on August 28th we have a special meeting regarding a final reading on a bond ordinance for new and replacement equipment, machinery and vehicles for the DPW, the Police Department and the Municipal Offices. That bond ordinance is for \$2,890,000. Project updates Cambridge Avenue which is a DOT funded project they milled today and they'll be paving that tomorrow. Congress Street is already done the paving was completed in July. Our 2023 Road Program was awarded last month for 4 Cleanup. The contractor is looking to start in September. Those streets are Kern Place, Van Luyn Terrace, Avon Lane, Strathmore Terrace and Hutter Street. Alberta Drive, which is a 2023 NJDOT project grant money is being used. That went out to bid and we will be awarding that contract tonight the Council does so to Frank Macchione for \$389,000. Midland Avenue and Hobson Water Main Project the bids were received last month and we're going to award if the Council sees fit the contract tonight to the lowest bidder Montana Construction for \$982,350. The events that went on National Night Out was Tuesday August 1st. It went very very well I have a lot of people to thank so just bear with me. Obviously, the Saddle Brook Police Department all the members, especially Captain John Zotollo the other two captains and all the command staff and anybody that took part. Fire Chief Sabani and Assistant Fire Chief Mielnicki and the whole Fire Department, OEM Coordinator Tom Dickman, Fire Prevention Officer Mike Seitz, Ambulance Corp Captain Lou Rodriguez and President Joe Puzino and the whole Ambulance Corp, Recreation Director Andy Gallo, Assistant Director Diane Bonner, Christine Genuario my secretary, Mayor's Youth Group, Saddle Brook Boy Scouts and Girl Scouts, The Woman's Club, Pastor Christopher Wolf from the First Reformed Church along with the Saddle Brook Community Partnership several Federal, State and County law enforcement officials and agencies there. I want to really thank our sponsors we had a lot this year. UPS for the first time Ferraro Spine, Kessler Institute, Grumpy's Eat Big, Premier Sports Cards, Greater Bergen Realty, Weir Welding, Mr. Bruno's, Mario's Pizza, Party for Peanuts, Walmart, 7-Eleven, Mr. Softee and ACME. I also want to thank Thomas Van Winkle for taking photos and Rafael Gonzalez from Enlacosa for doing the video. We

had the summer concert Wednesday July 26th with Mushmouth and Thursday August 3rd with Forever Young. Thanks to Andy Gallo, Diane Bonner and the whole Recreation Department. Also thanks to Columbia Bank for sponsoring the Mushmouth Concert. First Junior Police Academy which was brought up that's been this week. Tomorrow night starting tomorrow afternoon at 2:00 pm is the graduation here at the Municipal Complex in the gym.

The Mayor is corrected by the members of the audience that it is at 11:00 am.

Mayor White – Thanks for telling me I wouldn't have been there. I don't know why they did it during the day. I think they should have done it at night or on a Saturday because they miss a whole day. It's four days instead of five. I'll talk with Captain Zotollo about that. Township Picnic is coming up Saturday August 26th not this Saturday the next. Rain date Sunday August 27th. Residents can pick up tickets here at the Recreation Center from 7:00 am to 9:00 pm also at the Senior Center and Saddle Brook Library during normal business hours. I also want to go back and thank Thomas for taking pictures of the Junior Police Academy. Upcoming events St. Philips Festival is next week Wednesday August 23rd to Sunday August 27th. The Mayor's Walk is in the morning of August 26th at 9:00 am. That was sponsored by Powerhouse Gym in the Saddle Brook Mall. We're going to do another 9/11 Ceremony this time on September 11th. September 11th is a Monday. We're going to have it here at 5:30 pm. Labor Day is Monday September 4th Municipal Offices and the DPW will be closed. Garbage pickup in that zone the north end of town will be Friday for grass clippings and that kind of thing. Schools will be open in a couple of weeks I want to wish all the students, faculty, administration and staff a successful year. Thank you.

Councilman Accomando – I'm going to be very short. I just want to thank everybody for coming out for National Night Out everybody that attended everybody that volunteered. It was a great success. The 26th is the Township Picnic it's going to be a great time. We have a DJ we have a band and different food vendors so come out and have some fun and enjoy the rest of your summer. Thank you.

Councilwoman Sanchez – I have nothing at this point.

Acting Council President Cimiluca – First thing would be the concerts I think they were a great success thanks to Columbia Bank for helping to sponsor one of the bands. I think last year we had a certain number of people the first concert got fifty percent more than that and then the second concert got fifty percent more than that so we're hoping to grow this into not only multiple concerts per year but more attendance. We tried a little bit different avenue in terms of advertising that may have worked it may have been the bands but like the Mayor said we're having another band come in September 29th so for people and I hear this a lot the Mayor said earlier we keep getting phone calls from various people it's part of our job. You're at CVS and somebody decides to stop you think you're going in for a pack of gum and you're there for a half an hour talking about town stuff. A lot of the concerns that there's nothing to do in Saddle Brook but just think about it you've had

in the last six week period of time you've got two summer concerts you have a National Night Out you're having I know it's not a Town event but we're all one so you got the St. Philips Festival, you got the Mayor's Walk, you've got a Township Picnic and then you've got the concert at the end of September so there's a lot of things that had been done and there's a lot of things to do in this Town and with this facility including our Recreation Center which is very well attended it's just getting better. Saddle Brook is a great place to be at this time. It's always been but it's getting better. The Police Academy I've always thought that was a great idea when I was in Oakland. Working there I used to see them coming in and it was a trip to see these kids in uniform and then doing their marches and things like that and they loved it. It's a lot of tough love that the cops give them but at the end of the day they're all hugging and it's a great thing. I'm glad I think they had it years ago but maybe.

Mayor White – They never did.

Acting Council President Cimiluca – They never did?

Mayor White – No.

Acting Council President Cimiluca – Well it's a long time coming and I'm glad that it's happening and thanks to the members of the Police Department that brought this to fruition. We spoke earlier about speed humps and we're looking into the viability and cost of possible reflective paint on the speed humps. My only concern is when you look into this and maybe you can do a little research approaching it if it's reflective I don't know that emphasizes the height of the hump or it deemphasizes it. That's something we're going to have to look into but we have our engineer working on that. In terms of cannabis we spoke about that surely we're going to have some other people come up here later on to talk about it but we are going to table that ordinance because we just feel we need a little more information. That's all I have and we'll go into ordinances.

ORDINANCES

1. ORDINANCE #1739-23 – SECOND READING

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 206 OF THE CODE OF THE TOWNSHIP OF SADDLE BROOK REGULATING THE OPERATION OF SPECIFIC CLASSES OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES

Councilwoman Sanchez makes a motion to table the ordinance.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

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

Acting Council President Cimiluca – That ordinance has been tabled until our next meeting and the reason as we stated is we need a little more time to consume that and get some information from our Planner. We have an expert who can talk to us about that whether the ordinance as it's written actually reflects what we intended.

2. ORDINANCE #1740-23 – SECOND READING

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

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

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

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

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

Acting Council President Cimiluca 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 Gierak - absent

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

Omar Rodriguez of Saddle Brook comes forward to address the Council. I've been out of the Council for many years I don't know if the law has changed or what's going on. I know about the problem in Garfield and how they got decals where they have to report with the Police Department if you are living in Garfield. You have to report to the police because some of those people from other towns they are saying that they're parking and we had the same issue years ago that those people were coming here now. What is related to the handicap? I don't know about this let's say for instance someone from another town or another block can just park also on the handicap parking if they have a decal right. Does our town offer a private handicap parking for a specific plate number or not?

Councilman Accomando – No we do not.

Mr. Rodriguez – So we don't offer that. All right just food for thought in the future because if you keep on going and people complain about that the parking spot has been taken in other towns many of the municipalities around New Jersey what they're doing now those private parking spaces license plate they are charging one hundred two hundred dollars because it's just for a specific plate. Just food for thought.

Acting Council President Cimiluca anyone else wishing to be heard on this ordinance? Seeing no one asks for a motion to close the hearing on this ordinance.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

Acting Council President Cimiluca 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# 823-133

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 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 Gierak - absent

Acting Council President Cimiluca – Just as a side as Mr. Rodriguez had indicated there is the ability to designate the spot limited to a certain plate number because I see that in Hoboken where I'm now working where some people are cited for handicap parking violations just for generally parking in a handicap zone and others that park in an spot specified for a particular vehicle however the parking issues in Hoboken are a lot different than the parking issues in Saddle Brook so we may address that in the future but until we have a bunch of people crashing into each other trying to get into that spot on North Seventh Street we're not going to do anything but we can always address that if it does become an issue. Thank you for bringing that to our attention.

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 Sanchez

Second: Councilman Cimiluca

Roll call:

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

*** MINUTES**

Minutes of the July 20, 2023 Public Meeting

*** RESOLUTIONS**

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 823-134

WHEREAS, N.J.S.A. 40A: 4-58 provides for the appropriation transfers during the last two (2) months of the fiscal year and the first three months of the new year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deem to be necessary to fulfill the purpose of such appropriation; and,

WHEREAS, an additional transfer is required as an amendment is to the final resolution CR# 1222-150.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook, County of Bergen, State of New Jersey, that the Chief Financial Officer be and hereby is authorized to make transfers among the Fiscal Year 2022 Budget as follows:

	<u>Transfer To</u>	<u>Transfer From</u>
<u>CURRENT</u>		
Employee Group		\$45,646.70
Construction Code S/W	\$18,745.10	
Police S/W	\$3,432.30	
Police S/W	\$4,054.05	
Police S/W OT	\$16,688.00	
Court S/W	\$1,723.79	
Court S/W OT	\$1,003.46	
	\$45,646.70	\$45,646.70

WATER

Water S/W	\$2,044.19	
Water O/E		\$2,044.19
Motion: Councilwoman Sanchez	Second: Councilman Accomando	

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION AUTHORIZING AWARD OF BID AND CONTRACT FOR 2023 ALBERTA DRIVE IMPROVEMENTS

CR# 823-135

WHEREAS, the Township of Saddle Brook previously authorized the solicitation of bids for the 2023 Alberta Drive Improvements; and

WHEREAS, Remington & Vernick Engineers received six bids with the lowest bid submitted by Frank A. Macchione Construction Inc. in the amount of \$388,722.96 representing Items 1-30 of the base bid; and

WHEREAS, after a review of the bids submitted, Remington & Vernick Engineers has determined that Frank A. Macchione Construction Inc.'s bid in the amount of \$388,722.96 is the lowest responsible bid; and

WHEREAS, the Chief Financial Officer of the Township has certified that the funds are available for this matter, said certificate of availability of funds being attached hereto and incorporated herein by reference; and

WHEREAS, the Township Administrator and Remington& Vernick Engineers have reviewed this matter and recommend the Township enter into an agreement with Frank A. Macchione Construction Inc. for the 2023 Alberta Drive Improvements Project; and

WHEREAS, the Township Attorney has prepared a contract agreement between the Township and Frank A. Macchione Construction Inc., a copy of which is attached hereto and incorporated herein by reference, and recommends the approval of same.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook, that the bid submitted by Frank A. Macchione Construction Inc. in the base bid amount of \$388,722.96 for the 2023 Alberta Drive Improvements be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized and directed to execute the agreement between the parties on behalf of the Township; and

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized and directed to forward a copy of this resolution together with the contract agreement to Frank A. Macchione Construction Inc. upon its passage.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierek – absent

**TOWNSHIP OF SADDLE BROOK
RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT AND
APPOINTMENT OF SPECIAL TAX APPEAL ATTORNEY**

CR# 823-136

WHEREAS, the Township of Saddle Brook requires the professional services of an attorney to serve as Special Tax Appeal Attorney; and

WHEREAS, on July 31, 2023, the Township Council appointed Kenneth Porro, Esq. of the firm Chasan Lamparello Mallon & Cappuzzo as Special Tax Appeal Attorney effective July 31, 2023 thru August 1, 2024; and

WHEREAS, the Special Tax Appeal Attorney shall be paid an hourly rate of \$175.00 per hour not to exceed the sum of \$5,000.00 for the term of said Agreement; and

WHEREAS, all other terms of the Agreement between the Parties shall be as set forth in the Professional Services Agreement, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, the Township Clerk and Township Attorney have reviewed this matter and the Professional Services Agreement attached hereto and recommend the approval of same.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the above appointment is hereby ratified and confirmed and the Mayor and Township Clerk are hereby authorized and directed to execute the Professional Services Agreement on behalf of the Township; and

BE IT FURTHER RESOLVED that the Special Tax Appeal Attorney shall supply the Township of Saddle Brook with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27; and

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized and directed to forward a copy of this resolution together with the signed Professional Services Agreement to Kenneth Porro, Esq., upon the passage of same;

BE IT FURTHER RESOLVED that Notice of this action shall be published in the newspaper, The Bergen Record, within ten (10) days of adoption.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR# 0823-137

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY THAT THE PROPER WARRANTS BE DRAWN AND THAT THE ATTACHED BILLS, WITH THE EXCEPTION OF THOSE BILLS NOT APPROVED BY A MAJORITY OF THE COUNCIL, BE PAID TOTALING **\$4,529,484.69** 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 Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 0823-138

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 **\$614,351.19** 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 Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION AUTHORIZING AWARD OF BID AND CONTRACT FOR HOBSON
AND MIDLAND AVENUE WATER MAIN PROJECT**

CR# 823-139

WHEREAS, the Township of Saddle Brook previously authorized the solicitation of bids for the Hobson and Midland Avenue Water main Project; and

WHEREAS, Remington & Vernick Engineers received six bids with the lowest bid submitted by Montana Construction Corp. in the amount of \$982,350.00 representing Items 1-46 of the base bid; and

WHEREAS, after a review of the bids submitted, Remington & Vernick Engineers has determined that Montana Construction Corp.'s bid in the amount of \$982,350.00 is the lowest responsible bid; and

WHEREAS, the Chief Financial Officer of the Township has certified that the funds are available for this matter, said certificate of availability of funds being attached hereto and incorporated herein by reference; and

WHEREAS, the Township Administrator and Remington& Vernick Engineers have reviewed this matter and recommend the Township enter into an agreement with Montana Construction Corp. for the Hobson and Midland Avenue Water Main Project; and

WHEREAS, the Township Attorney has prepared a contract agreement between the Township and Montana Construction Corp., a copy of which is attached hereto and incorporated herein by reference and recommends the approval of same.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook, that the bid submitted by Montana Construction Corp. in the base bid amount of \$982,350.00 for the Hobson and Midland Avenue Water Main Project be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized and directed to execute the agreement between the parties on behalf of the Township; and

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby authorized and directed to forward a copy of this resolution together with the contract agreement to Montana Construction Corp. upon its passage.

Motion: Councilwoman Sanchez

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierek – absent

* CORRESPONDENCE

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

RE: ORDINANCE #1739-23 – CH 206 CANNABIS
DATE: JULY 20, 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)
STEPHEN F. PELLINO (1951-2023)
ALBERT H. BIRCHWALE
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

July 20, 2023

**BY EMAIL AND
REGULAR MAIL**

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

RECEIVED TOWNSHIP CLERK
23 JUL 36 PM 3:23

Re: Review of Ordinance No. 1739-23

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. 1739-23 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 July 17, 2023. The Planning Board has authorized me to write this letter report to the Mayor and Council.

The Planning Board determined that the proposed Ordinance is consistent with the master plan and therefore, recommends its adoption. However, the Board further recommends that the Mayor and Council consider revising the Ordinance to provide that no cannabis manufacturing operations shall be located within 1,000 feet of any other cannabis manufacturing operations.

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

Respectfully submitted,


Anthony P. Cialone

APC:cas

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

F:\home\Carole\Saddle Brook Planning Board\Letter to M&C re ordinance review 7-2023.docx

8/17/23

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2. CAPT ZOTOLLO

TO: PETER LO DICO

RE: PEDDLING & SOLICITING APPLICATION TRINITY
SOLAR

DATE: JULY10, 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: July 10, 2023

Re: PEDDLING AND SOLICITING APPLICATION
Trinity Solar
2211 Allenwood Road
Wall, NJ 07719

Maikel Daoud
50 Charles Street
Lodi, NJ 07644

The above organization and individual filed a Peddling and Soliciting application in accordance with Township Ordinance 149. Trinity Solar will be conducting door-to-door solicitations regarding solar energy panel construction.

The Detective Bureau conducted a background check and all checks were negative.

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

Please advise D/Captain Thomas Johnson if approved at TJ39@saddlebrookpd.com.
When notified, Captain Johnson will create and issue the appropriate identification cards.

C-2

Cc: file

RECEIVED TOWNSHIP CLERK
23 JUL 19 PM 2:51

8/17/23

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3. STEPHANIE CUTHBERT RVE ENG
TO: MAUREEN RUANE, INT. BUS ADM

RE: SANITARY SEWER INFRASTRUCTURE
IMPROVEMENT PROJECTS 2023
DATE: JULY 13, 2023



One Harmon Plaza, Suite 210
Secaucus, NJ 07094
O: (201) 624-2137
F: (201) 624-2136

July 13, 2023

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

Re: Township of Saddle Brook
Sanitary Sewer Infrastructure Improvement Projects 2023
Proposal for Professional Engineering Services

Dear Ms. Ruane:

REMINGTON & VERNICK ENGINEERS (RVE) is pleased to submit this proposal to provide professional engineering services for funding support, design, and construction management of three (3) improvement projects to the Township's sanitary sewer infrastructure. The Township of Saddle Brook owns and operates three (3) sewage pumping stations and a gravity sewer interceptor system. As wastewater infrastructure ages, the components require maintenance, repair, and replacement to ensure the system continues to operate as intended. The harsh sanitary sewage environment makes these facilities especially susceptible to corrosion and deterioration. The Township is taking the initiative to address these issues with a proactive rehabilitation approach for three (3) projects:

1. Howard Street Force Main Rehabilitation
2. Midland Avenue Pump Station Improvements
3. Mayhill Pump Station Improvements

Doing so will help mitigate the need to respond to emergency situations which are costly, disruptive, and negatively impact the environment and the residents of Saddle Brook. The Township anticipates these projects will be funded through the EPA Community Grants Program.

As such, the following presents the projects and scope of work to be completed under this proposal.

PROJECT DESCRIPTIONS

Howard Street Force Main Rehabilitation: This project will consist of cured-in-place lining of approximately 800 linear feet of 24-inch diameter prestressed concrete cylinder pipe (PCCP) force main located within Howard Street in Lodi, NJ. This section of force main has had three (3) force main breaks within the past seven (7) years. Additionally, this project will include the installation of two (2) additional access points to facilitate future condition assessment and maintenance.

Midland Avenue Pump Station Improvement Project: This project will consist of various upgrades to the pump station facilities and equipment including, but not limited to, the following:

- Replacement of valves and any piping, as needed.
- Replacement of electrical service and systems
- Modifications to control systems to improve function of stations.
- Miscellaneous concrete repairs and painting of inside walls (all rooms/levels)
- Replacement of HVAC systems

www.rve.com

C-3

8/17/23

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- Miscellaneous site improvements
- Replacement of building doors and roofing systems
- Installation of laser level transmitter-based system
- Installation of permanent bypass components

Please note that the pumps are in the process of being replaced, the cost of which is being borne by Saddle Brook Urban Renewal Associates, LLC.

Mayhill Pump Station Improvement Project: This project will consist of various upgrades to the pump station facilities and equipment including, but not limited to, the following:

- Replacement of existing pumps, valves, and any piping reconfiguration required
- Replacement of electrical service and systems
- Modifications to control systems to improve function of stations
- Miscellaneous concrete repairs and painting of inside walls (all rooms/levels)
- Replacement of HVAC systems
- Miscellaneous site improvements
- Replacement of building doors and roofing systems
- Installation of hoist and beam for pump removal
- Replacement of wet well lighting

SCOPE OF SERVICES

Below is outline of RVE's anticipated scope of work activities for each of the three (3) projects:

Task 1 - Design Phase Services:

- Preparation of site plans from existing drawings
- Supplement missing information from the existing drawings with field robotics.
- Preparation of construction plans and specifications (30%, 60%, 90%, & 100%).
- Preparation of a final construction cost estimate (a preliminary construction estimate has been prepared and is attached to this letter).
- Identification of any permits required. As the improvements listed herein are of a repair or replacement-in-kind nature, we do not anticipate that a Treatment Works Approval (TWA) Permit will be required from NJDEP. We will notify NJDEP in writing to confirm that this is the case.

Task 2 - Bid Phase Services:

- Prepare copies of plans and specifications for the Township for distribution to bidders
- Prepare local bid advertisements
- Maintain a bidders' list
- Chair a pre-bid meeting
- Address bidders' questions
- Prepare addenda, if needed
- Attend the bid opening
- Review the bids and make a recommendation to the Township

www.rve.com

Task 3 - Construction Phase Services:

- Prepare a Notice To Proceed to the contractor awarded the project.
- Chair a preconstruction meeting.
- Provide inspection services.
- Review shop drawings.
- Address contractor's questions and prepare supplemental details, if needed.
- Review the contractor's pay requisitions.
- Project close-out administration.
- Provide all required EPA documentation throughout the construction, including close-out paperwork the grant.
- Provide full-time inspection as part of the grant requirements. This will include contractor employee interviews, tracking of Build America requirements and Davis Bacon Act requirements.

Task 4 - Grant Application Preparation & Management:

Coordinate with the Township and prepare the grant applications. While there is a cost sharing component of the grant, we will work with the Township to confirm if there is an opportunity to request a waiver on the cost sharing component. If the Township qualifies for this waiver, RVE will petition as part of the application submission. In addition, the grant application will require certain information from the Township which will be coordinated with the Township and incorporated into the submission.

Once the grant has been obtained, bid documents and construction oversight will be completed in accordance with the grant requirement including proper close out.

ITEMS EXCLUDED FROM SCOPE OF WORK

The items below are excluded from scope of work:

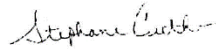
1. Title reports for the property.
2. Any takings or easements.
3. Survey property line location (base map property lines to be based on tax maps).
4. Obtaining any access permits/consents to property.
5. Cultural Resources Evaluation.
6. Preparation of permit applications since these are maintenance projects.
7. Permit application fees (if required).

PROFESSIONAL FEES

The professional fees for the services detailed herein are a **not to exceed fee of \$365,300.00**. The budgeted amount is based on several exclusions which have been listed in the above section. If during the progress of the work it is determined that services are required outside the Scope of Work, RVE would provide an estimate of the fees for the extra work to Saddle Brook for review and approval prior to proceeding.

Should you have any questions or require additional information, please do not hesitate to contact our office at 201-624-2137.

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.

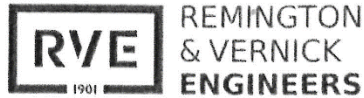


Stephanie Cuthbert, RVE
Principal | Water & Wastewater Division Manager

cc: Mayor Robert White
Paul Cray, PE
Robert Klein, PE
Ryan Hayes

4. ROBERT KLEIN RVE ENG
TO: MAUREEN RUANE, INT. BUS ADM

RE: HOBSON & MIDLAND AVE WATER MAIN
DATE: JULY 25, 2023



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

July 25, 2023

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

Re: Township of Saddle Brook
Hobson & Midland Avenue Water Main Project
Recommendation to Award
RVE File No. 0257-T-102

Dear Ms. Ruane,

We have tabulated the bids received on Thursday, July 20, 2023 for the above-captioned project and find the lowest bidder to be Montana Construction Corp, Inc., 80 Contant Avenue, Lodi, NJ 07644 in the amount of \$982,350.00; representing Items #1-46 on the base bid.

A copy of the tabulation is enclosed for your review. The bids came in higher than the Engineer's Estimate which is approximately \$753,000. In analyzing the bids, it appears the cost of water main work has increased. Additionally, the top three bidders are all fairly close to one another. As such, rebidding the project would not result in lower prices.

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 Montana Construction Corp Inc.

This award recommendation is contingent upon review and approval of the bids by the Township 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, PE, CME
Township Engineer

cc: Mayor White
Pete Lo Dico
Vince Buono
Frank Barrale

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23 JUL 26 11:52
RECEIVED TOWNSHIP CLERK

8/17/23

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5. ROBERT KLEIN RVE ENG
TO: MAUREEN RUANE, INT. BUS ADM

RE: BIDS – ALBERTA DR IMPROVEMENTS
DATE: AUGUST 9, 2023



REMINGTON
& VERNICK
ENGINEERS

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

August 9, 2023

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

Re: Township of Saddle Brook
MA 2023 Alberta Drive Improvements
Recommendation to Award
RVE File No. 0257-T-111

Dear Ms. Ruane,

We have tabulated the bids received on Tuesday, August 8, 2023, for the above-captioned project and find the lowest bidder to be Frank A. Macchione Construction Inc., 141 Central Avenue, Rochelle Park, NJ 07662 in the amount of \$388,722.96; representing Items #1-30 on the base bid.

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 Frank A. Macchione Construction 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, PE, CME
Township Engineer

cc: Mayor White
John Schettino
Pete Lo Dico
Frank Barrale
Vincent Buono

RECEIVED TOWNSHIP CLERK
23 AUG -9 AM 9:09

C-5

8/17/23

211

101 Crawfords Corner Road
Suite 3400
Holmdel, NJ 07733
Main: 877 627 3772



Engineering
& Design

RECEIVED TOWNSHIP CLERK
23 JUL 17 PM 3:08

Memorandum

To: Township of Saddle Brook
From: Nicholas Dickerson, PP, AICP, CFM
Date: July 17, 2023
Subject: Review of Cannabis Manufacturing Ordinance
Project No.: SDP-001A

Overview

As requested, this office has reviewed the proposed Ordinance amending and supplementing Chapter 206 of the Township Code regulating the operation of specific classes of cannabis businesses within its geographical boundaries. More specifically, the draft ordinance amends Ordinance 1726-22, Subsection 5, entitled Conditional Use Standards as it relates to cannabis manufacturing. The proposed amendment would increase the maximum size of cannabis manufacturing operations in the B-2 Secondary Business Zone District adjacent to N.J. Route 46 (Blocks 104, 105, 118, 120, 121, 123, 405 and 412) from 5,000 square feet to 12,500 square feet, exclusive of offices, common areas and bathrooms.

Zoning

The following uses are permitted in the B-2 Secondary Business District:

- Stores and shops for the conduct of any retail trade or service use oriented to service the entire township, such as but not limited to department stores, general merchandise stores, furniture, home furnishings and equipment stores, household appliance, radio and television and music stores, apparel and accessory stores, drugstores, jewelry stores, barbershops, shoe repair shops, bakeries, laundromats, florist shops, beauty shops, tailor shops and similar service uses
- Banks and financial institutions
- Professional offices
- Public restaurants and taverns, but not including drive-in or fast-food restaurants. This provision shall not be deemed to exclude seasonal outdoor or sidewalk cafes as part of a restaurant intended primarily for indoor service of customers.
- Vocational schools or studios for the instruction of the arts, dancing, music, language or photography
- Public buildings and uses owned or operated by the township or its agent
- Shopping Centers
- [NOTE: For the above uses, no wholesale merchandise or distributing shall be permitted and no merchandise shall be carried or stored in or about the building, structure, enclosure or land,

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Accelerating success.



Engineering
& Design

other than that intended to be sold at retail within such building, structure, enclosure or land. No business or use shall be carried on in connection with any merchandising establishments or permitted in any building, structure or upon any land which is or is likely to be injurious, obnoxious, offensive or dangerous, by reason of noise, smoke, odor, gas, dust or other objectionable or hazardous features or which for any reason would hinder, interfere with or detrimentally affect the health, safety, comfort or general welfare of the township.]

Permitted Conditional Uses in the B-2 Secondary Business District:

- Essential services
- Planned commercial developments
- Cannabis retailer operations (Adjacent to NJ Route 46 (Blocks 104, 105, 118, 120, 121, 123, 405, and 412)) (Ordinance 1707-21)
- Microbusiness Cannabis Cultivator (Adjacent to NJ Route 46 (Blocks 104, 105, 118, 120, 121, 123, 405 and 412) (Amended by 1718-22)
- Cannabis manufacturing operations 5,000 square feet and under (Adjacent to NJ Route 46 (Blocks 104, 105, 118, 120, 121, 123, 405 and 412)) (Amended by Ordinance 1726-22)

As noted above, cannabis manufacturing operations are presently permitted in the B-2 district as a conditional use, but are limited to 5,000 square feet in area. The proposed amendment would increase the maximum size to 12,500 square feet in area, exclusive of offices, common areas and bathrooms.

Consistency with Master Plan

Pursuant to N.J.S.A. 40:55D-26, the Planning Board will need to review the ordinance to determine whether it is substantially consistent with the land use plan element and housing plan element of the master plan.

2004 Master Plan

The 2004 Master Plan identifies four commercial districts in the Township, The Primary Business District, Secondary Business District, Highway Business District, and Limited Commercial Districts (1 and 2). The Secondary Business District (B-2 Zone) is located along section of Market Street and Route 46. According to the 2004 Master Plan, the Secondary Business District is the same as the Primary Business District except that it permits shopping centers as principal permitted uses, whereas the Primary Business District does not. The recommendation of the 2004 Master Plan for the Market Street B2 District is to eliminate shopping centers per se as a permitted use; "shopping districts" which address the street and improve the streetscape of Market Street should replace shopping centers.

The Land Use Element of the 2004 Master Plan identifies objectives that supplement the overall plan goals. The objectives still relevant to the B-2 District include protecting and enhancing the Township's commercial districts.

The 2004 Master Plan also recognizes that the commercial businesses along Route 46 had seen a decline yet remain important due to the location along major arterial roadways. The commercial area along Route 46 contains a mix of uses, which the plan notes as including commercial land uses in the eastern portion and a mix of commercial and industrial uses in the western portion.

2014 Master Plan Reexamination Report

The 2014 Master Plan Reexamination Report does not address cannabis-related industries as such uses were limited to medical cannabis. Recreational cannabis and its related industries (retail, distribution, manufacturing, wholesale, cultivation, and delivery) were not permitted until 2021. That said, the 2014 Reexamination Report evaluated the Goals and Objectives of the 2004 Master Plan, and noted that many of its non-residential goals and objectives continued to remain valid. The proposed ordinance consistent with these following goals:

- *Goal 3. It is the further purpose of the Master Plan to encourage the maintenance and upgrading of the business zones along Market Street and Route 46.*

Proposed cannabis manufacturing businesses would be subject to planning board approval and certification of compliance with the conditional use requirements. This will provide an opportunity to encourage the maintenance and upgrading of the business zone.

- *Goal 4. It is objective and purpose of the Master Plan to provide for highway regional business-oriented uses such as offices, hotel, restaurants, etc. in a planned, compact, centralized and well accessible manner, so as to encourage reduction of traffic volumes, traffic hazards, and congestion in the areas so indicated on the Land Use Plan.*

Conditionally permitting cannabis manufacturing on specified blocks that are located along Route 46 provides for business uses in a well-accessible manner. Cannabis manufacturing facilities would not be open to the public and would likely generate less traffic and require less parking than other permitted retail and service uses in the business zone.

- *Goal 5. It is the objective and purpose of the Master Plan to maintain existing general business uses including local business activities, local service activities and office buildings in compact areas already substantially developed for such uses, and to prevent and discourage the spreading of non-residential uses into residential neighborhoods.*

Limiting the cannabis manufacturing use to these specified blocks ensures this use will be contained within those blocks and existing industrial zones. There would be no encroachment into the residential areas as a result of the proposed change in zoning.

Impact of the Proposed Ordinance

Increasing the maximum size of cannabis manufacturing operations in certain blocks in the B-2 District will provide additional opportunities for economic development. Previous amendments to this zone have permitted cannabis manufacturing operations on these blocks of the B-2 District; the proposed amendment would increase the maximum permitted size from 5,000 square feet to



Engineering
& Design

12,500 square feet, exclusive of offices, common areas, and bathrooms. The size is also not out of scale. This is demonstrated by a comparison to footprints of nearby businesses, including U-Haul (estimated at 25,000 sq. ft.); Excelsior Catering; (approximately 15,500 sq. ft.); Truck center (approximately 35,000 sq. ft.); Staples (approximately 17,000 sq. ft.); Olympic pools (approximately 14,000 sq. ft.); Vapor/engine supply, rims (approximately 14,300 sq. ft.); and Walmart (approximately 102,000 sq. ft.).

Comments/Recommendation

1. While the proposed amendment to the B-2 District is not specifically recommended in the Master Plan or Master Plan Reexamination Report, it is not substantially inconsistent with the 2004 Master Plan or the 2014 Master Plan Reexamination. Several goals and objectives are advanced by the proposed amendment.
2. The drafted ordinance amends Ordinance 1726-22, which itself was an amendment to Ordinance 1707-21, which was supposed to create a new chapter in the Township Code entitled "Cannabis". Neither of these ordinances, along with other amendments relating to cannabis, have yet been codified. To avoid potential confusion by the amendment of an ordinance that has yet to be codified, it may be more prudent to readopt the text of ordinance 1707-21 in full along with the proposed revisions to the B-2 District.
3. It is recommended that the Schedule of District Use Regulations (Schedule I of Chapter 206) be amended to include the permitted cannabis related uses. Additionally, the conditional uses should be added to Article XI Conditional Uses within Chapter 206.

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7. COUNTY EXECUTIVE TEDESCO

TO: MAYOR WHITE

RE: GRANT AWARD-STERLING & ORCHARD LA
COMMUNITY DEVELOPMENT - \$123,747.00

DATE: AUGUST 9, 2023



COUNTY OF BERGEN
OFFICE OF THE COUNTY EXECUTIVE
One Bergen County Plaza • Room 580 • Hackensack, NJ 07601-7076
(201) 336-7300 • Fax (201) 336-7304
countyexecutive@co.bergen.nj.us

James J. Tedesco III
County Executive

August 9, 2023

The Honorable Robert D. White
Township of Saddle Brook
93 Market Street
Saddle Brook, New Jersey 07663

Dear Mayor White,

I'm delighted to inform you that your recent application for FY 2023-2024 Community Development Block Grant (CDBG) funding from the Bergen County Division of Community Development has been approved. We look forward to working with you as a sub-grantee for the following project:

Sterling and Orchard Road Improvements

\$123,747

Laura Salandra, a contract administrator with the Division of Community Development, has been assigned to work with you in executing this project through to completion. Please expect to hear from Laura to review the sub-grant implementation process. Among the first steps to be taken will be submission of the plans and specifications for your project and completion of an environmental review by BCD CD prior to contract finalization.

Should you have any questions before that time, please feel free to contact Rob Esposito, Director of the Division of Community Development, at (201) 336-7201 or resposito@co.bergen.nj.us

The Division of Community Development's partnership with the county's 70 municipalities and scores of nonprofit and government agencies over the years has resulted in a wide range of significant quality of life improvements to the benefit of Bergen residents. Thank you very much for being part of our continuing effort to make Bergen County a great place to live for everyone.

Sincerely,

James J. Tedesco, III
County Executive

www.co.bergen.nj.us



JJT:rge

C-7

8/17/23

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*** APPLICATIONS**

1. PEDDLING & SOLICITATION – TRINITY SOLAR, WALL, NJ

*** REPORTS**

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

OLD BUSINESS

Mayor White – I just wanted to bring up that we at the work session we had those residents that came in complaining about the intersection of Sampson and Dewey and I just wanted to let them know that we are going to look into it. We’re going to have the Town Engineer take a look we’re going to have the Police Department check records to see how many accidents have occurred there and also do some kind of traffic study there maybe do some enforcement but we will definitely look into that. Too bad they’re not here now but if they’re watching we’re going to take what they said seriously and do something about it.

Acting Council President Cimiluca – We do realize under certain parameters, certain days, certain times on those days that is a high traffic area in terms of both vehicles and pedestrians. They are small roads but you’ve got Veterans Field right there so you’ve got a bunch of kids walking some accompanied by parents some not unfortunately and we share your concern about the safety issues so we are looking into that very seriously.

Acting Council President Cimiluca – Motion to open the meeting to the public for agenda items only and we’ve given a lot of latitude prior but the three minute rule will be strictly enforced at this time.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll call:

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

Acting Council President Cimiluca – The meeting is now open to the public anyone wishing to address the public on agenda items only. Seeing no one I'll entertain a motion to close the meeting to the public.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll call:

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

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

Motion: Councilman Accomando

Second: Councilwoman Sanchez

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

Acting Council President Cimiluca – Does anyone else have any final comments?

Councilwoman Sanchez – I didn't speak before but I know there's only a couple of weeks left of summer so I hope everybody enjoys the remainder of their summer and I hope to see everybody at the Town Picnic.

Acting Council President Cimiluca – We'll see you at the Town Picnic and Thomas Van Winkle will be there taking pictures. Raphael will be there taking videos. It's a good time for all it always has been. Good luck to everyone going back to school has to have a safe and prosperous school year to all the parents, teachers, administrators and especially the children. I will accept a 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 Gierak – absent

Meeting adjourned at 8:03 P.M.

Respectfully submitted,

Peter Lo Dico, RMC, CMC
Township Clerk

Andrew Cimiluca
Acting Council President

Approved: September 21, 2023