

The minutes of the Regular Public Meeting of the Township Council of the Township of Saddle Brook held on November 2, 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
Mr. Klein – Twp. Engineer – absent

Council President Gierrek asked all to rise for the salute to the flag and remain standing for a moment of silence in memory of all our veterans who proudly served our country and for the shooting victims and their family in Lewiston Maine.

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 – Motion to open the meeting to the public.

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 Gierak – Anyone wishing to address the council please step up to the podium state your name and address.

Thomas Van Winkle of 128 Lincoln Avenue comes forward. I'm here tonight to share the results of the Halloween Decorating Contest. The Mayor's Youth Group went out and judged and they decided on three winners all of which are going to receive a gift in the mail. Third place was 76 Oxford Avenue, second place was 46 Oxford Avenue and first place was 48 Ackerman Avenue so I do want to congratulate all of the winners and I want to thank the Mayor's Youth Group for going out and judging all the houses. We had a total of ten houses entered in the contest. All the photos of the houses that entered are on the Mayor's Youth Group Facebook page. It was shared also to the Saddle Brook Township Facebook page as well as the pictures of the winners on the Township Facebook page. Please check that out they really did an outstanding job decorating. I'm hoping they enter again next year in the Halloween Decorating Contest as well as this year for the upcoming Holiday Decorating Contest which the Mayor's Youth Group will also judge in December. Coming up on the Mayor's Youth Group will meet again here in the Council Chambers on November 18th which is a Saturday at 10:30 am. We're going to be installing new officers for president, vice president and secretary. We have the nominations open right now for members to apply to run for an office. The week of November 13th they're going to vote for which officer they want and we'll install them on the 18th. We'll also be helping out with the Tree Lighting and the Holiday Party which is the day after Thanksgiving which is November 24th that's the day after Thanksgiving that will be here in the Municipal Complex so looking forward to that. That's always a great time every year and I think for now that's it and also the Mayor's Youth Group helped out with the Senior Halloween Party. That was on October 24th at the VFW and they were also very helpful at the Trunk or Treat which was held this past Saturday here at the Municipal Complex. It was a hot one but it was a successful one and we also decorated our own car for the first time and we had a Barbie theme. It was actually my car we used so I do want to thank the members who helped me decorate the car and also sat and handed out candy. Thank you all for listening and congratulations again to the winners.

Mayor White – Through the Chair. Thomas I want you to tell the public what that medal was now where is it? You came here proudly wearing a medal. I want to hear more about the medal.

Mr. Van Winkle – The medal is not related to the Mayor's Youth Group. Through the Community Partnership we ran in the Tomorrow's Children Fund 5K this past Sunday in the pouring rain at the park. It was the three mile loop through Rochelle Park back up through Saddle Brook and I'm proud to say I got 2nd place for males aged 20 to 29 and I also received best costume too. It was supposed to be held October 1st but it got postponed to October 29th due to the flooding at the park from a recent rainstorm that started the month off so they held it to the 29th and they allowed people to dress up in a costume and I won the best individual costume. They also recognized a group of people who had a costume too they got awarded as well. So it was a good event and Tomorrow's

Children Fund supports children with cancer and rare blood disorders so it was a moving day a rainy day but a moving day, nonetheless.

Councilman Cimiluca – What was your costume?

Mr. Van Winkle – Ken.

Councilman Cimiluca – That's the Barbie theme.

Mr. Van Winkle – That's why we did the Barbie theme with my car back at the Trunk or Treat. That's all thank you.

Council President Gierak – Thank you Thomas.

Omar Rodriguez of Saddle Brook comes forward to speak. I would like to start by saying that recently we just spoke about several issues at the workshop meeting. One of the subjects was the cannabis. I address some of the Council members by saying that this is a prolific business industry in which bigger companies are acquiring some of the companies that have the rights or the okay from the towns. Now it comes to my attention that one of the companies that have purchased to another company in Town for the license five retail is trying to operate under the name of the Dispensary of Saddle Brook. I wonder if that is going to be okay with the residents and other communities. It's not just the fact that someone is trying to buy an existing business that hasn't opened yet but we don't have to accept this. Actually there is no law that says that someone need to be changed actually we can impose certain conditions to this new company if they really want to buy from the other one I believe that we should be firm and they shouldn't use the name of Saddle Brook because this is not official business for the Town. That's in one hand on the other hand I also was talking about the need for the Mayor and Council to fully restore their authority by going to all kind of means even if it means to go to the court in order to establish the authority in Saddle Brook because we elect the Mayor and Council and they should be the ones that have to respond to the public not another enforcement agency. Therefore I expect in the next few weeks that someone obtain the results and bring the power and authority to the Mayor and Council and not a third party that is taking care of the day to day operations. I believe tat we as residents and taxpayers deserve to have a government in which we have voted upon at the polls and again it should just be with the Mayor and Council not with a third party at the County level. It's time for them to go and this Town should have their own Chief of Police that can work along hand in hand with the Mayor and Council. Finally I would just like to address an ordinance that should be established in Town regarding electric motorcycles and especially the scooters that don't carry no helmets and especially the scooters going in the middle of the road. Now that it comes wintertime and the roads are icy they are carrying passengers in front of the scooters with no helmet. They don't even respect the law because they just pass red lights and whatever God forbid what's going to happen with the problem that somebody hits them no helmets. Don't we have enough police enforcement maybe we need more police officers rank and file and not three captains like

we currently have. Our TO I believe there are too many chiefs and not any Indians at the bottom. We need to enforce and especially having more police officers now that we going to have the corridor of Route 46 with all these cannabis stores we are anticipating a lot of problems and we need our Police Department to enforce 24/7 that area. Thank you all for listening and especially to the viewers to have a Happy Thanksgiving along with all the relatives and especially with a better 2024 God bless you all thank you.

Council President Gierrek – Thank you Mr. Rodriguez. 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 – yes

COMMENTS

Mayor White – First I want to bring up this month is November is Pancreatic Cancer Month. I have a proclamation which I'd like to read. Before I read it I just want to mention that we lost a good friend Saddle Brook Police Officer Michael Juliano on August 1, 2019. Mike was only 47 years old this was always his favorite time of year. He loved Halloween and he would when he was working he would drive around on patrol and hand out candy to the kids that were walking around Town that were Trick-or-Treating so we miss Mike dearly. He was a great guy. The proclamation reads Whereas in both the United States and internationally pancreatic cancer has the highest mortality rate of all major cancers, when an individual begins to experience symptoms of pancreatic cancer it is often already in most cases advanced stages which makes treatment more difficult, regular physical exams imaging test results and biopsies are all preventative ways of keeping the disease from progressing to later stages, the month of November is used to empower, educate and inspire communities around the globe who have been touched by the effects of pancreatic cancer it is an opportunity to shine light on the disease, so now therefore be it the second day of November I Robert D. White the Mayor of the Township of Saddle Brook do hereby proclaim November 2023 as Pancreatic Cancer Awareness Month. Our tax bills went out in the beginning of October and were due November 1st. There is a ten day grace period which has been extended three days because of the Veterans Day Holiday. They're due Monday November 13th. If not paid by the 13th there will be interest back dated to November 1st. The Municipal Offices are closed on Friday November 10th in observance of Veterans Day also we're closed on November 23rd and 24th for Thanksgiving. Regarding Veterans Day the VFW Veterans Day Ceremony is Saturday November the 11th 11:00 am at the VFW Circle which is Saddle River Road at Mayhill

Street. Election day is coming up next week Tuesday November the 7th polls are open 6:00 am to 8:00 pm. District 6 polling location has been changed from the Saddle Brook Middle School High School to right here in the Rec Center the gym of the Municipal Complex. Our Town tree lighting is Friday November the 24th the day after Thanksgiving at 6:00 pm here at the Municipal Complex in the parking lot. The Township received an Open Space Recreation Grant for Kern Street Park improvements in the amount of \$138,000. I believe I mentioned that before but we got the notice saying that we're going to receive those funds. Tonight we're awarding a bid for Hutter Street Drainage Project. I want to point out that the Township did receive \$50,000 of a FEMA Grant for one of the storms and I want to thank Office of Emergency Management Coordinator Tom Dickman for making the application with the assistance of our Grant Writer. The Township is handing out leaf bags free leaf bags at the Municipal Complex in the administrative section. Ten bags per family we're on the last pallet and we'll be running out soon so I think we had nine thousand bags and we're down to about fifteen hundred. Town Clerk Pete Lo Dico will be here on Sunday November 5th 10:00 am to 12:00 pm for the upcoming election here at the Municipal Complex so residents can come in the building will be open to pick up the bags at that time. I want to mention that the State Turnpike Authority is doing work on the Garden State Parkway bridge overpass on Saddle River Road. The beginning portion of the work will be done during the day. They've already started working under the bridge but they're going to start working on the sidewalk area and other things. They're going to install a temporary crosswalk at Saddle River Court to Coolidge School across Saddle River Road. They're going to be working on the sidewalk. What they're going to do is close one side of the sidewalk and allow when that side is being worked on individuals on that side of the street will have to go down cross the street right at Saddle River Court so this way they can keep one side or the other open. There's no crosswalk currently there but there's crossing guards that are at Bell Avenue and Pehle Avenue. Saddle River Road will be open to traffic but this is just the pedestrian traffic that's walking to school or wherever. I want to congratulate Rocco Rufrano for 50 years of service to the Volunteer Fire Department. We're going to have a party coming up for him. The Saddle Brook Senior Halloween Party was held at the VFW from 6:00 to 9:00 pm on October the 24th. It was a nice time for the seniors. Recreation Department this year for the first time they had a Halloween Celebration Movie Night for children ages 5 to third grade. That was on Friday October 27th 6:00 to 8:00 pm here at the Rec Center. Trunk or Treat Thomas brought it up that was at the Municipal Complex parking lot 12:00 to 2:00 on Saturday October 28th. I want to thank Thomas for all the work that he does for taking the photos at the Halloween Decorating Contest and all the other events that he goes to. I want to give my condolences to our Project and Activities Coordinator Shannon Accomando and her husband Todd Accomando for the loss of Shannon's father Joseph Russell on October 20th. I also just want to mention one thing to clarify what Mr. Rodriguez said. Just so you're aware Mr. Rodriguez regardless we can't make a Chief of Police until Chief Kugler retires. Even if the Prosecutor's Office was not monitoring us and was not there on occasion to you know that we have to report to them so to speak we still can't make a Chief. Even if they and we are working on you know we're going to ask them to vacate. There's really no reason for them to be there anymore and we're working on that

but still Bob Kugler has to retire before we make a Chief so we're going to have an Officer in Charge until such time as Bob retires and Happy Thanksgiving everyone.

Councilman Accomando – Thank you Mayor for the condolences appreciate it. Trunk or Treat this year you know I say after every Trunk or Treat it seems like it's getting better and better every year. The weather was absolutely beautiful with the exception of anybody who had chocolate it all melted so that was a little discouraging for the kids. Mayor White said Shannon and Christine they do a wonderful job it's a lot of preparation. The reason I noticed is because I live with Shannon and what she goes through is pretty impressive how they manage to do what they do just the two of them. Happy Veterans Day to all the Veterans, Happy Thanksgiving and good luck to all the candidates running for School Board in Township. I wish you all the best and congratulations to the winners for the House Decorating Contest that's it.

Councilwoman Sanchez – Like Councilman Accomando said Trunk or Treat had excellent weather so I hope everybody went enjoyed themselves. Like the Mayor said this Veterans Day on the 11th the VFW has a ceremony service at 11:00 am at the VFW Circle so hopefully you'll come out and show support to our veterans. I usually try to make it every year unfortunately this year I cannot make it but I do try to be there every year to show my support. Happy Veterans Day thank you to all the veterans out there thank you for your service and I hope everybody has a happy and safe Thanksgiving.

Councilman Cimiluca – I apologize I missed the last meeting so I'm a little late for some things. I just want to express my condolences to Councilman Accomando and his wife Shannon and their family for the loss of the head of their family. Also to the Mangano family we lost Chrissy last month and it was kind of shocking news because we just saw her at the UNICO Street Fair and she appeared fine and was talking about how happy she was down in Toms River and I was able to speak to her daughter recently and on the outside she gave a good front but actually she was hurting for a couple of days before that and just goes to show you that if you have a problem if you feel like something is wrong please see a doctor see a medical professional because there are things that you just in her case she just took a lot of Tums because she thought it was just acid reflux and things like that. It was something by the time she ended up going to the hospital it was something much worse and unfortunately we lost her. I see that the last meeting which I did not attend there was a moment of silence for the victims in the Middle East attack and that ties into Veterans Day. Hopefully, I'll be honest hopefully the United States does not get drawn into that conflict with men on the ground. We've been all over the world and just a lot of times it's just unnecessary loss of life but it ties into election day because one of the parties involved in that elected a terror organization as their leaders so I mean I don't expect that to happen in the United States of America. However be careful who you elect I mean a lot of people died for your right to vote. So please go out on Tuesday or before now you can vote a month before but get out there and vote because like I said people are dying and continue to die based on who you elect and to have the right to elect people of your choice. Things that we're doing behind the scenes that we talked about at the meeting we're working on rules and regulations potentially to

control Mr. Rodriguez said Escooters and Ebikes those are the new things. You know ten years ago no one thought this would be a thing so it's another new item that we have to consider and try and regulate for the safety and welfare of the citizens. I know working in Hoboken now walking across the street when the light you know the little guy comes on I can walk across the street and all of a sudden because they're Ebikes you can't hear them and they just whiz by. I can't tell you how many times I've come this close to being hit by these guys. Most of them are Door Dash drivers whatever they're trying to do their work but they're blowing through stop signs, they're blowing through red lights, they're driving the wrong way. There's no way you even expect them to come. They're riding on sidewalks. I agree it's getting bad and as they get more popular and they get more populous it's only going to get worse so we're on top of that. We're looking into regulations to try and make it safer for the community. Same thing we're working on looking into regulations potentially for bed and breakfasts which again ten years ago it wasn't a thing but it is now and again we want to protect our neighborhoods. Single family houses should be single family houses and not boarding houses. To our neighbors who came a couple of months ago live on the corner of Dewey and Sampson we were able to get the owner of a corner property to cut down a tree which was a hinderance to the line of sight and that has improved the situation there immensely. We're still considering putting some more maybe signage and writing but I spoke to them and they're very happy with the tree being down that they feel that it is a lot safer. In terms of what one of the residents said about the sale of the cannabis facility or ownership that is incorrect it was merely a name change and we did get a letter from counsel and I'll read it just so everyone is aware so there's no misinformation. Please be advised that counsel to the Dispensary of Saddle Brook formerly known as Budz Prime on October 27, 2021 the Township issued the company a municipal resolution of support for a class 5 cannabis retail dispensary. Thereafter the company obtained site plan approval from the Saddle Brook Planning Board for operation of a recreational cannabis retail dispensary at 225 Route 46 West which is in the approved cannabis zone. On January 14, 2023, the company filed a certificate of amendment to change the name from Budz Prime, LLC to the Dispensary of Saddle Brook, LLC and they enclosed a copy. Also enclosed is a valid New Jersey business registration certificate identifying the company as the Dispensary of Saddle Brook, LLC. The company maintains it's original tax identification number, business registration number and has the same members so it's merely a name change. It's not the sale of the business which is heavily regulated by the State even before it gets to us and as we get closer to getting these companies approved from the State we will be working on regulations, security, hours of operation, whether or not you can smoke inside which we are totally against for use in the facility. That being that I thank you very much.

Council President Gierke – I'd just like to mention that we had a couple of great events this month and thank everyone that participated and volunteered with the Senior Halloween Party. That was a great event well attended by our seniors here in Town. Also our Trunk or Treat which was we had great weather it was another great event. I just want to urge our residents to come here visit the Civic Center visit the recreation section there's stuff for everyone. We do have good programs here we're utilizing this building to it's fullest potential so please I urge you to get down here take a look at the facility and

participate in some of the things that are offered here. I'd also like to give my condolences to the Accomando family and for the loss of your father-in-law Mr. Russell. Finally I would just like to wish all of our veterans a happy Veterans Day. I hope to see everyone at the tree lighting following Thanksgiving so happy and healthy Thanksgiving to all of our residents thank you very much. We do not have any ordinances today.

ORDINANCES

NONE

The Township Clerk reads the following:

All items listed with an asterisk (*) are considered routine and non-controversial by the Township Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member(s) so requests it, in which case the item(s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies adoption of all resolutions, receive and file letters, correspondence, reports and approval of minutes and applications.

*** MINUTES**

NONE

*** RESOLUTIONS**

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR # 1123-163

WHEREAS, a tax appeal has been filed by the owner of 280 N. Midland Avenue, Edison Corp & BT-NEWYO, LLC Saddle Brook, NJ, (Block 1202, Lots 27-29) and

WHEREAS, both the tax appeal attorney and tax assessor are recommending that an appraisal of the aforementioned property be made,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby authorizes Mc Nerney and Associates, 266 Harristown Road, Glen Rock, NJ is hereby authorized to perform such appraisal at a cost not to exceed \$12,500.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

TOWNSHIP OF SADDLE BROOK RESOLUTION

CR # 1123-164

WHEREAS, a tax appeal has been filed by the owner of 390-444 Market Street, Saddle Brook, NJ, (Block 708, Lots 4.02 & 5) and

WHEREAS, both the tax appeal attorney and tax assessor are recommending that an appraisal of the aforementioned property be made,

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook that it hereby authorizes Mc Nerney and Associates, 266 Harristown Road, Glen Rock, NJ is hereby authorized to perform such appraisal at a cost not to exceed \$5,500.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1123-165

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

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

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

NOW THEREFORE BE IT RESOLVED and the Township hereby approves the attached Corrective Action Plan for the 2022 Annual Audit, and

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

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

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

Councilman Cimiluca - yes

Councilman Accomando - yes

Councilwoman Sanchez - yes

Councilwoman Mazzer - absent

Council President Gierek - yes

**TOWNSHIP OF SADDLE BROOK
RESOLUTION AUTHORIZING AWARD OF BID AND CONTRACT FOR HUTTER
STREET STORM SEWER REPAIRS**

CR# 1123-166

WHEREAS, the Township of Saddle Brook previously authorized the solicitation of re-bids for the Hutter Street Storm Sewer Repairs Project; and

WHEREAS, Remington & Vernick Engineers received three bids with the lowest bid submitted by Spiniello Companies in the amount of \$233,000.00 representing items 1-6 on the base bid; and

WHEREAS, after a review of the bids submitted, Remington & Vernick Engineers has determined that Spiniello Companies' bid in the amount of \$233,000.00 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 Township Attorney have reviewed this matter and recommend the Township enter into an agreement with Spiniello Companies for the Hutter Street Storm Sewer Repairs.

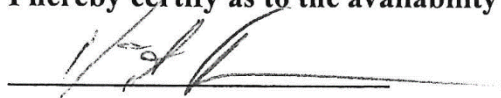
NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Saddle Brook, that the bid submitted by Spiniello Companies in the base bid amount of \$233,000.00 for the Hutter Street Storm Sewer Repairs be and is hereby approved; and

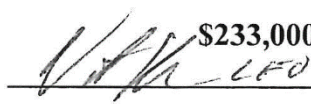
BE IT FURTHER RESOLVED, that the Mayor be and is hereby authorized and directed to execute the agreement between the parties on behalf of the Township; and

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 Spiniello Companies upon its passage.

CERTIFICATION OF FUNDS

I hereby certify as to the availability of funds in the following account:



 **\$233,000.00**

Vincent Buono , CFO

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

11/02/23

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1123-167

BE IT RESOLVED by the Township Council of the Township of Saddle Brook that the following requisition(s) submitted to the Township Council for purchases over \$6,600.00 be approved providing funds are available:

<u>DEPARTMENT</u>	<u>COMPANY</u>	<u>ITEM</u>	<u>AMOUNT</u>
BOND ORD	Van Dine's Motors	2 snowplows	\$15,337.00
BOND ORD	Cliffside Body Corp	Ford F550-Super cab	\$59,949.00
BOND ORD	Cliffside Body Corp.	Tommy gate(lift)	\$ 8,050.00
BOND ORD	Mid-Atlantic	Case loader	\$212,850.00
BOND ORD	Ford	Ford F550-regular cab	\$124,599.00
BOND ORD	Ford	Ford F550-Super cab	\$ 75,895.00

Purchases are state contract or Sourcewell Coop

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR # 1123-168

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 **\$20,146.22** 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 THE BILLS PAID THROUGH OFF LINE CHECKS.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR #1123-169

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 **\$5,230,563.83** 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: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 1123-170

WHEREAS, an application has been filed for a Person to Person transfer of a Plenary Retail Consumption License #0257-33-012-008, heretofore issued to **ARL Saddle Brook Management, LLC Receiver for CP Saddle Brook, LLC** and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinance and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and connection with the license business; and

NOW THEREFORE BE IT RESOLVED that the Township Council of the Township of Saddle Brook does hereby approve, effective October 19, 2023, the transfer of the aforesaid **PLENARY RETAIL CONSUMPTION LICENSE #0257-33-012-009 to Victory Worldwide, LLC** and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to **Victory Worldwide, LLC, 138 Pehle Avenue, Saddle Brook, NJ.**

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

* CORRESPONDENCE

1. JOHN DUFFY, ZONING BOARD CHAIR
TO: DAVID GIEREK, COUNCIL PRESIDENT

RE: INTEREST IN REAPPOINTMENT
DATE: OCTOBER 5, 2023

John Duffy
259 South Lanza Court
Saddle Brook, NJ 07663

October 5, 2023

David Gieriek, President
Township Council of Saddle Brook
55 Mayhill Street
Saddle Brook, NJ 07663

Dear Mr. Gieriek,

My appointment as a full member to the Zoning Board of Adjustment for the Township of Saddle Brook ends on 12/31/23. I have served proudly and professionally for over six years and have enjoyed the opportunity to give back to the community through this service. Please acceptance this letter as my intention, the council willing, to be reappointed and continue as a full member of the Zoning Board.

If you or any other councilperson has any questions for me, you can reach me on my cell at 201-410-3163 or email me at jduff56@msn.com.

Thank you for your consideration.

Regards,



John Duffy

C-1

2. R. KLEIN, TOWNSHIP ENG.

TO: MAUREEN RUANE, INT. BUS. ADM.

RE: PAY CERT #1-MACCHIONE CONST.

\$377,658.76-CAMBRIDGE AVENUE

DATE: OCTOBER 3, 2023



REMINGTON
& VERNICK
ENGINEERS

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

October 3, 2023

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

Re: Township of Saddle Brook
Municipal Aid – 2022 Cambridge Avenue
Pay Certificate No. 1
RVE File No. 0257-T-105

Dear Ms. Ruane,

Enclosed please find Payment Request No. 1 from Frank Macchione Construction, Inc., for work performed on the above referenced project. Remington & Vernick Engineers has reviewed the certificate with the contractor and agrees with the partial payment noted.

Therefore, we recommend the following payment be made to **Frank Macchione Construction, Inc.** in the amount of **\$377,658.76**.

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

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.

Robert J. Klein, PE, CME
Project Manager

Cc: Mayor White, John Schettino, Frank Barrale, Vincent Buono, Pete LoDico

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11/02/23

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3. R. KLEIN, TOWNSHIP ENG.
TO: MAUREEN RUANE, INT. BUS. ADM.

RE: CHANGE ORDER #1-MACCHIONE CONST
DATE: OCTOBER 3, 2023



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

October 3, 2023

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

Re: Township of Saddle Brook
Municipal Aid - 2022 Cambridge Avenue
Change Order No. 1
Our File# 0257-T-105

Dear Ms. Ruane,

Please be advised that this office is recommending approval of attached Change Order No. 1. This change order is for the following:

1. Adjustment of unit quantities to their as-built quantity.
2. Installation of a seepage pit at Washington Street and Albany Street to address a low spot in the road.
3. Restriping of traffic markings on Cambridge from prior projects.
4. Restoration work at the Engine #1 driveway which required full depth asphalt restoration along the curb line.

A summary of the contract amount is below.

• Original Contract	\$ 359,567.18
• Change Order No. 1	\$ 25,798.90
• Amended Contract Total	\$ 385,366.08

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

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.

Robert J. Klein, P.E.
Project Manager

cc: Mayor Robert White
Pete Lo Dico
Frank Barrale

C-3

www.rve.com

11/02/23

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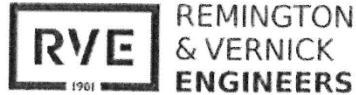
4. R. KLEIN, TOWNSHIP ENG.

TO: MAUREEN RUANE, INT. BUS. ADM.

RE: CHANGE ORDER #1-FINAL-CONGRESS

ST. 4-CLEAN UP \$17,162.70

DATE: OCTOBER 6, 2023



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

October 6, 2023

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

Re: Township of Saddle Brook
CDBG Congress Street Roadway Improvements
Change Order No. 1 - FINAL
Our File# 0257-T-111

Dear Ms. Ruane,

Please be advised that this office is recommending approval of attached Change Order No. 1 - Final. This change order is for adjustment of as-built unit quantities.

• Original Contract	\$ 140,287.50
• <u>Change Order No. 1</u>	<u>\$ 17,162.70</u>
• Amended Contract Total	\$ 157,450.20

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

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.

Robert J. Klein, PE, CME
Project Manager

cc: Mayor Robert White
Pete Lo Dico
Frank Barrale

C-4

www.rve.com

11/02/23

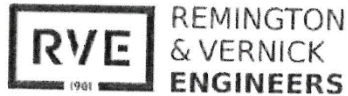
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5. R. KLEIN, TOWNSHIP ENG.

TO: MAUREEN RUANE, INT. BUS. ADM.

RE: PAY CERT #1-FINAL-CONGRESS ST
4-CLEAN UP \$157,450.20

DATE: OCTOBER 6, 2023



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

October 6, 2023

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

Re: Township of Saddle Brook
CDBG Congress Street Roadway Improvements
Pay Certificate No. 1 – FINAL
RVE File No. 0257-T-111

Dear Ms. Ruane,

Enclosed please find Payment Request No. 1 – Final 4 Clean Up Inc. for work performed on the above referenced project. Remington & Vernick Engineers has reviewed the certificate with the contractor and agree with the final payment noted.

Two (2) year Maintenance Bond will follow under separate cover.

Therefore, we recommend the following payment be made to **4 Clean Up Inc.** in the amount of **\$157,450.20.**

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

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.

Robert J. Klein, PE, CME
Project Manager

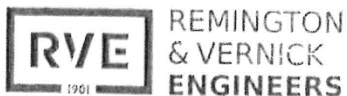
cc: Mayor Robert White
Pete Lo Dico
Frank Barrale

C-5

6. R. KLEIN, TOWNSHIP ENG.

TO: MAUREEN RUANE, INT. BUS. ADM.

RE: PAY CERT #1-ALBERTA DRIVE
FRANK MACCHIONE CONST-\$194,630.81
DATE: OCTOBER 19, 2023



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

October 19, 2023

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

Re: Township of Saddle Brook
MA-2023 - Alberta Drive Improvements
Pay Certificate No. 1
RVE File No. 0257-T-111

Dear Ms. Ruane,

Enclosed please find Payment Request No. 1 - Frank Macchione Construction for work performed on the above referenced project. Remington & Vernick Engineers has reviewed the certificate with the contractor and agrees with the final payment noted.

Therefore, we recommend the following payment be made to Frank Macchione Construction in the amount of \$194,630.81.

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

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.


Robert J. Klein, PE, CME
Project Manager

cc: Mayor Robert White
Pete Lo Dico
Frank Barrale

C-6

11/02/23

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7. CAPTAIN ZOTOLLO, OIC

TO: PETER LO DICO

RE: LIQUOR LICENSE TRANSFER-
VICTORY WORLDWIDE, LLC (MARRIOTT)
DATE: OCTOBER 30, 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: October 30, 2023

Re: LIQUOR LICENSE TRANSFER
LICENSE #: 0257-33-012-007

Victory Worldwide, LLC
Operated as Saddle Brook Marriott
(138 Pehle Avenue, Saddle Brook, NJ 07663)

In accordance with the Code of the Township of Saddle Brook, Chapter 52, the Investigations/Support Services Division has reviewed and investigated the Liquor License Corporate Structure change of CP Saddle Brook.

The corporate structure for liquor license change will be as follows:

Anil Monga - 10% (jointly with Rajni Bala Monga)
The Kyle Monga Trust dated December 21, 2012 - 30%
The Rasm K. Monga Trust dated December 21, 2012 - 30%
The Sean Monga Trust dated December 21, 2012, total 30%.
Total: 100%

The principal individual for Victory Worldwide LLC. Is Anil K. Monga.

A background check has been completed. This transfer does not appear to be contrary to public interest. I am satisfied that it is a bona-fide arms-length transaction involving no silent partners. All stockholders are not disqualified by age, criminal record, police officer status, ownership interest in more than two licenses, undesirable character or any other articulable reason.

Therefore, there is no reason for the denial of this application.

A completed report and related documents will remain on file at the Saddle Brook Police Department.

Cc: file

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11/02/23

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*** APPLICATIONS**

Raffles

1. ST. PHILIP THE APOSTLE CHURCH - BINGO LICENSE BL# 1377

*** REPORTS**

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

OLD BUSINESS

Mayor White – I just wanted to say happy Veterans Day and I want to thank all our vets for their service and Councilman Accomando made me remember I want to thank all the Board of Education candidates. I want to wish them good luck I should say and I do want to congratulate them for last week last Thursday October 26th it was meet the candidates night. I went to the event and our Township videographer Rafael was there and videotaped the event. It's not easy we've all had a situation at one time or another where we were asked questions and put on the spot. They all did very well and if you want to view the video you can go on YouTube it's also on our Town TV the cable channels. It's also on the Township website and on the Township Facebook page. If you want to get a look at the candidates and see how they responded to the questions I urge you to do so and again good luck to them.

NEW BUSINESS

Mr. Lo Dico – I just wanted to bring up the Best Practices Inventory that our municipality in the State of New Jersey must prepare and submit to the State in order to receive its full allotment of state aid. Saddle Brook of course came out ahead on the questions so we'll definitely get our state aid in December. Most of the questions consisted of core competencies which included finance, cyber security and shared services. We did very well and I want to present that report to the Council.

Councilman Accomando – I just wanted to thank the Saddle Brook Police Department, the Command Staff, Bergen County Sheriff's Department and Lodi Police for their assistance with my father-in-law.

There is no other new business.

Council President Gierrek – Motion to open 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 Gierrek – yes

Omar Rodriguez comes forward. Two items that were just touch and I just need to be very brief. On the mere change of business name looking at the Business Registration Certificate the issuance was September 15, 2023. A name means a lot and especially in this cannabis industry. Let me just give you an example. Would it be good for you if a business come and says official porno store of Saddle Brook. That it will be troublesome. A name means a lot and I believe by you changing the name or just trying to change actually they need this letter from the municipality is not a must. Nothing legally can be done against you if you don't change it but you can stipulate certain things that you might not like but the way it's written or the way they want to operate the Dispensary of Saddle Brook I believe there's a lot of food for thought there and then again when they came originally on October 2021 they came under a name again it might be semantic but we as a Town where we gonna put them. Actually they are here for business the same company is going to be operating what nine, ten, eleven different municipalities which is not my business that's their business but what I care is Saddle Brook and I believe by just the naming it might be a little problematic in the future because if that goes then anything else will go in the future and as an example again so that the porno store can just change the name and say the official porno store of Saddle Brook. Is that okay and then finally on the Police Department and I have to agree on all what the Mayor said however I just want to be a little more deeper into that. By the Prosecutor's Office running the day to day operation they control the Police Department put it that way we can have one of the three captains directly working with the Mayor. The status of the Chief even though he has been cleared of all charges apparently he is not returning to the Police Department and he has a retirement date on or about August, September or October 2024. We the taxpayers have to continue paying his salary even though that he will not come to work. I guess he's going to be taking vacation sick days whatever it is but in the meantime I believe that one of our own within our Police Department could be named as an acting chief. In the meantime Chief Kugler they're not going to allow him to come back to the Police Department whatever deal they have broke that is not my thing. My thing is that the Police Department should be in full control not 95, not 99 percent but 100 percent in full control

of the Mayor and Council and should just be taking orders from the elected officials that they were elected to do so.

Council President Gierrek – We agree with you on that.

Mr. Rodriguez - Okay so that's all I care so basically I don't want the Prosecutor's Office spending their lifetime in Saddle Brook because that is a bad example. We as a community didn't do nothing wrong. They already clear the investigation into our Chief of Police and we still don't have a Chief of Police so we got to be strong and say a clear message you did what you have to do he was clear of all charges now we want our Police Department back in our hands. We don't want you here at all period and again Happy Thanksgiving and stay healthy.

Council President Gierrek – Thank you Mr. Rodriguez.

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

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Gierrek – yes

COMMENTS

Mayor White – I want to say Mr. Rodriguez I just want to be clear that I want the residents to know that some of what you're saying is inaccurate. First you said no secondly you said in control the Prosecutor's Office is not in control of the Police Department. The first thing you said was running the day to day operations. They're not running the day to day operations they're overseeing they're monitoring those are the words. I don't believe they need to be there to do even that. I agree with you on that point but I don't want the public to think that they have somebody there every day that's the head of the department. We have an Officer in Charge. Essentially it's the same thing as the acting chief except you can't name an acting chief. It's a matter of semantics but you can't. When you have a Chief of Police you can't make someone chief. If we had a Deputy Chief's position which was eliminated we can make a Deputy Chief but our table organization doesn't call for a Deputy Chief so essentially right now John Zotollo he's a captain but he's also the Officer in Charge of the department. There's no difference really he's acting chief. He has all the authority to do everything that he needs to do to run that Police Department. Now here's where there's I feel personally I feel there's a little bit of a problem in that he can do that and run the department but really important type decisions administrative decisions if he wanted to bring one of the officers up on charges he's got to discuss that with the Prosecutor's Office. We want to hire more people he's got to discuss that with the

Prosecutor's Office. I think that's BS I don't think at this point I agree with you a hundred percent but don't make it seem like they're there running the department. I'm telling you I know the monitor he's a captain from the Prosecutor's Office. He comes in once every two weeks stops by says hello meets with the Officer in Charge Captain Zotollo sits there for a little while everything what's going on bah bah bah that's it that's the extent of it. I don't want the public to think that they're in charge running the day to day operations and that every little decision has to be run past him. That's not true not true at all big decisions yes and I don't like that either because I think at this point we're ready for them to say goodbye okay and we're hoping we're working on that. I just want to be clear on that to me it's important that the public knows and the department is running well. I wish Bob Kugler was there running the department now but unfortunately this is what happened and like you said he is going to retire and I can't really say much more than that.

Council President Gierrek – Thank you for clarifying that.

Councilman Cimiluca – I just have one thing and it's regarding again the dispensary. It's got the words Saddle Brook in it. I think we need to give the people of Saddle Brook a little more credit. Saddle Brook Medical Center we have nothing to do with Saddle Brook medicine we being the municipality has nothing to do with that. Saddle Brook Diner, Saddle Brook Cleaners Saddle Brook Diner you're not going to find Pete Lo Dico serving a couple of eggs and hash browns and certainly you know Saddle Brook Liquors we're not in the liquor business and I think people know enough that it's a name. It's our town which we all love and they're putting that name in there. Personally, I don't think it's a big issue some people may and you know we can agree to disagree but I think the people will know that it's not an official as it said an official porno business or it's there's nowhere that it says the official dispensary of the Township of Saddle Brook. It's just the Dispensary of Saddle Brook that's what they chose to name it two years ago. They chose to go by a different name and now they're making this choice. Thank you everyone and have a Happy Thanksgiving.

Council President Gierrek – Motion to adjourn tonight's 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

Meeting adjourned at 7:47 P.M.

Respectfully submitted,

Peter Lo Dico, RMC, CMC
Township Clerk

David Gierak
Council President

Approved: