

The minutes of the Special Public Meeting of the Township Council of the Township of Saddle Brook held on January 29, 2025 at 5:30 PM at the Saddle Brook Municipal Complex, 55 Mayhill Street, Saddle Brook, NJ 07663.

The Council President called the meeting to order.

The Township Clerk called the roll:

Councilman Cimiluca – arrived at 5:33 pm
Councilman Accomando – present
Councilwoman Sanchez – present
Councilwoman Mazzer – present
Council President Gierak – present

Mayor White – present
Mr. Schettino – Twp. Attorney – present
Mr. Klein – Twp. Engineer – absent
Mr. Homsy – Twp. Administrator – present

Council President Gierak – Please rise for the salute to the flag.

The Council President 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 Gierak – Motion to open the meeting to the public.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – arrived 5:33 pm
Councilman Accomando – yes
Councilwoman Sanchez – yes
Councilwoman Mazzer – yes
Council President Gierak – yes

Council President Gierak – The meeting is open to the public anyone wishing to address the Council please step up to the microphone and state your name and address please.

Andrew Dziedzic of Eighth Street comes forward. Happy New Year staying on the topic of affordable housing there's been a lot of passionate Council Meetings all over the State on this issue. My understanding I haven't read the resolution these are 200 units that every town has to have implemented across a certain date and you have definitive timelines and dates.

Mr. Schettino – Every town has been assessed a certain number of units and every town prior to January 31st had to adopt a resolution if they wanted to be participating and let's say look at the numbers that have been assigned to it and then within 48 hours of adopting the resolution the municipality had to file an action.

Mr. Dziedzic – So the amount of units are they in that resolution?

Mr. Schettino – The amount of units estimated by Fair Share Housing is in well actually the DCA is in the resolution as to Saddle Brook it's not the same for every municipality. The ones that are estimated for Saddle Brook are in the resolution present need and prospective need.

Mr. Dziedzic – The timeline and deadline to implement a certain amount of units or all the units is that in the resolution as well?

Mr. Schettino – No well first is to determine if the number is accurate secondly then the next deadline is prior to June 30th and Affordable Housing Plan has to be adopted. There's no timeline as to when the units have to be built.

Mr. Dziedzic – So they're going two years, five years, ten years currently right now it's not a deadline that the Town has to.

Mr. Schettino – To actually build the units?

Mr. Dziedzic – Right.

Mr. Schettino – Correct.

Mr. Dziedzic – If it's fifty or a hundred whether they're like the units built across from the Senior Center only focused on the Saddle Brook people is there a law in that resolution now currently where it's only going to be Saddle Brook folks?

Mr. Schettino – No.

Mr. Dziedzic – Because that was a lot of back and forth where many residents in Town thought that was specifically for Saddle Brook and I believe only twelve or fifteen percent ended up being Saddle Brook.

Mr. Schettino – I'm not familiar with it.

Mayor White – Your numbers are incorrect it's about a third Saddle Brook people in the sense that they were a resident before or their family members are currently residents

that I know for a fact but we never told the residents some may have been misinformed by word of mouth but no because that project was done through the Housing Authority of Bergen County so we have to abide by their rules and that project was first come first served application online so we did our best to help residents. We had classes to explain to them what was going on but there were a lot of people that wanted it we had a list of probably 200 people.

Mr. Lo Dico – Over 200 people.

Mayor White – Over 200 you know it's 30 units but overall that was a great project we can't guarantee it.

Mr. Schettino – The only time you can limit it to residents is if the Town uses its own funds and builds the building itself. You can't limit so if affordable housing is built by a developer the Town can't say we only want it for Saddle Brook residents. Any time you get funding whether it's the State or Federal funding for a senior citizen project you can't just limit it to your own residents. You can try and get them a priority.

Council President Gierak – Don't forget Saddle Brook residents are eligible for housing in Lodi, Maywood as well so it's open to everybody. How many of our residents are in Garfield housing, how many are in Lodi housing, how many residents do we have in I don't know the answer to those questions.

Mayor White – You're right about that I'll give you that. There were people that were upset because everybody wants to be the person to get in and you have 200 people that are interested and there's only 30 apartments. What that says is we need more right. The other thing is too we can only build a certain amount of senior affordable housing. I think they just raised the number in this fourth round I believe so we're going to find out. We have to play by the law believe me I wish we could but correct me if I'm wrong the only way we could we would have to form our own Housing Authority and I don't think we're big enough to have our own Housing Authority I think we have to be a certain size a certain population. I know because Lodi they have their own Housing Authority Garfield has their own Housing Authority and I guess they make their own laws and rules and ordinances that pertain to that. I don't believe it would be in our best interest to do that anyway but I don't think you could because we're not large enough.

Mr. Dziedzic – Thank you.

Council President Gierak – Anyone else wish to address the Council? Seeing no one else motion to close.

Motion: Councilwoman Mazzer

Second: Councilwoman Sanchez

Roll Call:

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

Council President Gierak – We have two resolutions this evening.

Mr. Homsy – I wanted to introduce to the Council for consideration of the Affordable Housing resolution we did retain an Affordable Housing Attorney who specializes in this matter so we want to introduce Wendy Rubinstein to the Council to address any questions related to the resolution and of course she will also be for the Township to provide legal guidance on these matters. Without further ado I want to introduce Wendy Rubinstein.

Ms. Rubinstein – If it would please everyone I can certainly give a background on what is happening where we came from where we are and hopefully this might help the public understand what's coming in the future. As some may recall during round three there was a lot of back and forth with the rules that they kept getting overturned in court and so you ended up with a whole period from 1999 until 2015 when the Supreme Court finally said COAH you're not doing your job everything's running through the courts now and there was a lot of back and forth on what would the numbers be because one of the rules that didn't get adopted was how to determine what each municipality's or even the statewide and the municipal obligations would be. So in the interim now as round four is getting ready to start for July 1, 2025 last year around this time last year the legislature came together and did a major amendment to the Fair Housing Act which now sets forth a methodology for determining the statewide and municipal allocations. Based a lot on what is referred to as the Jacobson Methodology which was one of the court cases that came out of round three. The judge was Judge Jacobson in Mercer County and so that was set forth in the amended Fair Housing Act and because now they've officially declared through the legislature that COAH is no more they created a new way to get what is supposed to be a quasi-administrative approval and they call it the program. The court has since called it also now the dispute resolution program and what it does is it takes retired judges who formerly heard these affordable housing cases and puts them in a position through an administrative process which is sort of a mediation like alternative to a traditional court setting where the towns now all that want to participate by January 31st have to adopt a binding resolution stating what their obligation is they'll submit that through a declaratory judgement action through a special filing with the court. Interested parties have all of the month of February to counter these numbers to challenge them they can't just say I don't like them they have to actually set forth where the methodology is wrong and put forth their own numbers and calculations. If a town does not receive a challenge by March 1 your number is presumed to be accepted. If not if there's a challenge then you enter through the mediation process through the month of March presumably with an affordable housing judge in each county determining whether to accept the recommendations of the retired judges modify etcetera similar to an appeal process. Right now we are in the resolution area of the process and the Township of Saddle Brook has been given an obligation through the DCA calculation of 279

perspective new construction units and 42 rehabilitation or present need units. That obligation was factored through three subsets of information one of them being the land capacity factor which should not be confused with the vacant land analysis because the determinations of how those lands come into effect are different for both processes and we'll get to the vacant land in just a moment. Another was the income allocation factor and then the nonresidential equalization factor which is a calculation of a ten year period of where your commercial growth has happened and that factors into the calculation. The land capacity factor quite frankly for the Township was very small towards your obligation and so that's why we're recommending that you accept the number that DCA put out rather than expend funds to recalculate to see if it's the same or not. In the towns that I represent the biggest factor of movement has been land capacity because it's based on DEP GIS mapping which doesn't always adhere to the more boots on the ground analysis of what the Township knows that they have and the Township planners know because it was such a small fraction it really isn't going to move the needle on the overall number. Your number is based more than anything on the nonresidential component as well as the income allocation factor but the land capacity was very small. As far as the questions that preceded my sitting up here with the residency requirements you cannot get your affordable housing credit and I know this seems silly but if you were to limit and you had the ability to limit to your residents only it would not qualify for compliance under the Fair Housing Act. The Fair Housing Act breaks the State into six different regions Bergen County is lumped together with Bergen, Passaic, Hudson and Sussex and you have to first go to your county and then to the rest of the region as far as for putting the units out there you are not allowed to limit it just to your town and Mayor is correct some of the changes in the Fair Housing Act on this round did up the number of senior units so you could use thirty percent of your obligation as seniors in the past it had been limited to just twenty five percent so that's one of the benefits that came out of the amendments. Also some other changes is the way the bonus units are calculated are a little different there's no per se rental bonus anymore there's a lot more half unit credits but you're still limited to meet your obligation with twenty five percent of that number coming from bonuses. So for example if your number is a hundred it would be seventy five units plus twenty five bonuses not all of the 279 actually result in new units. Now that being said I've already noted how your land capacity factor was like this big we all know that you're a vacant land analysis town you're going to have to do a review of what land you actually have available for development usually the criterion is for every acre that is available and vacant you would calculate ten units of which twenty percent of those would be affordable so two of those units for every acre and it may be a little bit higher based on what the development in the area might be it can go to twelve units per acre it could go down to six units per acre usually you don't want to upset the surrounding community. So if the surrounding community has a density of twenty units per acre then it would be efficient to say twenty units per acre for a vacant lot within that area. The vacant land analysis though is part of that next deadline which is the June 30th where your Planning Board would have to have a public hearing on your fair share element for your Master Plan. It's adopted in the same format the only difference is that now with your fair share plan and housing element the Township also has to endorse by resolution the adoption of that housing element. As part of that, that would be where your compliance plan comes into play and in your compliance stage is where you would look to see where can we put the units, what can we do, how many seniors, how many rentals, how many sales all of that comes into that compliance plan and additionally that's where you would also look to see I'm sorry I just lost my train

of thought on this one. I'm trying to address the comments from the public. In the housing element fair share plan you would determine how many units can actually be built and also the municipal obligation is to provide that realistic development potential. You would have to zone for it nobody's forcing the Township to actually build it so that's why when your attorney says that you don't have to build it within a certain time period you just have to zone for it. The idea is that the builders will find the incentive to come and actually build it but you do have to zone for it within that time period. Ordinances I believe would need to be adopted by March of next year all of the finalization of the plan because after the June 30th deadline now there's a two month period where someone can challenge your housing element and fair share plan and in August is when it would be deemed approved or not. I know that's a lot of information so if you have any questions I welcome them and we'll try and answer them as best that I can.

Council President Gierak – Let's say we had a Governing Body here and I'm not suggesting we do that snubbed their nose and said hey listen we're not for this affordable housing thing what would be the recourse then because I've read stories in the paper about towns that didn't cooperate?

Ms. Rubinstein – The general background behind the Fair Housing Act in the Mount Laurel doctrine is to get voluntary compliance from municipalities. The courts have now said that you have a constitutional obligation to provide this zoning for affordable housing for all sorts of different levels of housing. If you decide not to that constitutional obligation is still there so what happens is if a builder comes in and is able to purchase one, two, three lots attached to each other and has the opportunity to build something grander if you don't voluntarily participate there's what is called a builder's remedy lawsuit where a builder comes and says town you have an obligation to put affordable housing you don't have any me I'm a wonderful builder I'm here to help you do that but you're going to give me eight stories and a density of 100 units to the acre and what happens if you're not compliant the court could say you know what town you are not constitutionally compliant you have no right to your own zoning anymore we're going to install it used to be called a Special Master I believe they're using different terminology nowadays. We're going to appoint a court appointed master to now tell you what that zoning is and they're going to instead of your Planning Board they're going to tell the builder what they can and can't do. When you get to that stage the only thing that they consider is health, safety, welfare. So your buffers are gone no traffic it's just basically is there sewer is there water can we put people here in a safe fashion and that's all that really they have to consider at that point and your zoning is out the window.

Council President Gierak – It's build it and they will come.

Ms. Rubinstein – Correct or don't build it and they will come.

Councilman Cimiluca – Talk to me about the we have to zone for it. We're zoning other people's property we own a minimal amount of property in Town most of it is the Municipal Complex and parks we're not going to get rid of those. We're not obligated to buy any property in order to do this correct.

Ms. Rubinstein – You are not. I will say to the extent that you have municipal property that you want to use there is added bonuses for municipally sponsored projects where you give the property and there is a benefit to a hundred percent affordable because then you don't have the eighty percent market rate units in addition to the affordable units. So there are things to consider when the time comes for putting your plan together you are not obligated to do so.

Councilman Cimiluca – We had the one larger piece what's Rosol Lane five six acres or something? Okay three acres so we designated that for affordable housing and that's in the process of going through the motions to get built. So we're figuring out through your help or a planner's help what the best area would be to zone for affordable housing?

Ms. Rubinstein – Yes together with your planner. Our planner obviously has different academic background than I do so it's usually in tandem. The planner would do the study do an analysis of all of what constitutes vacant land in Town. It may very well be that your realistic development potential can be ten or less depending on how many vacant acres there are.

Councilman Cimiluca – Does it have to be vacant land or are we zoning something that where we're going to take my block and say it's going to be affordable housing?

Ms. Rubinstein – There's two parts to the process one is the vacant land analysis where you're looking just at what qualifies under the regulatory process as vacant. Then you take that number and that gives you your RDP which is the Realistic Development Potential. Once you have that Realistic Development Potential you don't have to zone that vacant property for housing you could decide where you want it. You may have somebody that comes over and says I have a piece of property that I'd like some kind of additional density on I can put your housing here. You can put it where somebody proposes isn't their property you don't have to zone somebody else's property unless they're able and willing. If they're not able and willing it does you no good to zone it because it's not going to get built.

Councilman Cimiluca – Potentially someone could knock down and then build a denser property. If they've got three one family houses they could knock it down and build a.

Ms. Rubinstein – A townhouse row potentially stacked housing yep.

Councilman Cimiluca – The number that you gave 279 or something like that and I think thirty percent of that's about 80 units. You said it was thirty percent that has to be.

Ms. Rubinstein – No that can be seniors.

Councilman Cimiluca – We have numbers thrown at us all the time is that a real number 279?

Ms. Rubinstein – That's what the obligation that gets allocated based on a statewide number then the regional number then the Bergen County number and then all the towns in Bergen County. That's what's been allocated to the Township from that overall number.

It doesn't mean that that's what you're going to have to build because you are a vacant land town. You're a vacant land town in round three and you haven't suddenly raised all of the construction in Town to open it all up for housing. You're not going to be able to meet the full obligation. So what's going to happen is you're going to have your vacant land analysis there is an additional provision that they added into the Fair Housing Act for zoning for twenty five percent of the adjusted obligation and similar to what you would have done in round three you can accomplish that through overlay zoning or rezoning existing areas that have housing for more density. There's different mechanisms that we can look at once we get to that stage.

Councilman Cimiluca – They throw a number at us you had said that there's an objection.

Ms. Rubinstein – Uh huh.

Councilman Cimiluca – Let's say they're going to a lot 280 we think 150 is the number then we can propose a different number and if they object to it that's when we get into the Special Master and get into a litigation problem.

Ms. Rubinstein – In that situation yes but there's nothing stopping someone from saying the DCA numbers are wrong just to be completely candid. We're taking the DCA number that was already calculated somebody could choose to object to the DCA number they just have to show another calculation of how it was done. The same way we can't just say 150 we would have had to had some mechanism to show that based on the methodology and the statute we arrived at 150.

Councilman Cimiluca – We came up with a number that's different than them based on.

Ms. Rubinstein – On the methodology.

Councilman Cimiluca – Then they have a certain period of time to accept it or reject it does the ball go back into their court?

Ms. Rubinstein – I'm not sure who they are.

Councilman Cimiluca – The DCA or.

Ms. Rubinstein – No so DCA is done anybody who is going to object is going to be an interested person a builder it might be Fair Share Housing Center a nonprofit entity that is out there for lower and middle income families. It's not going to be the State objecting it's going to be a private individual.

Councilman Cimiluca – Who determines whether or not our methodology is correct or valid. When you say I throw out the number half that they want 280 we want 140 and we throw some garbage methodology who is the person determining whether or not it's garbage?

Ms. Rubinstein – The way that the legislation reads there's a presumption of validity of our methodology come March first if nobody challenges it. How that's going to operate I

can't tell you that this is all brand new but the way that the law reads is that if nobody challenges in the month of February on March first we're presumed valid and then we get a stamp of approval yes this is your number what you adopted is what you have to do.

Councilman Cimiluca – Is it Fair Share Housing's job to object to this and to say you got that 280 number your 140 is improper garbage but that's what they do.

Ms. Rubinstein – Yes and rumor has it that they are looking at anyone that's adjusting the number from DCA because then to the extent that people are adjusting their numbers downward the State number is not going to be met because there is a whole number form the State and that was what was filtered down almost like a family tree you have little branches that's what gets filtered down and so they're going to object potentially to anyone who is making that number go down in the State by adjusting theirs.

Councilman Cimiluca – Can somebody argue that the 280 number is too low not us certainly but somebody out there like Fair Share Housing says we don't like the number Saddle Brook has we can achieve 400 can somebody do that?

Ms. Rubinstein – Presumably, somebody could it's not disallowed by the legislation. There is the presumption of validity that DCA utilized the correct methodology and we're relying on that in our binding resolution as well saying that we're entitled to that presumption of validity and that'll be in the declaratory judgement filing as well but it is a whole new world so I can't tell you for sure that something can't happen.

Councilman Cimiluca – Did you and your firm and the planner have looked at the number that we were given and believe that that's a reasonable and legal number?

Ms. Rubinstein – Yes because the variable that usually changes is the land capacity factor and because that was such a small percentage of what calculated your number even if that was dropped to zero it wouldn't move the needle.

Councilman Accomando – Do they take into consideration of the school that's in that zone's capacity?

Ms. Rubinstein – They do not take anything into consideration.

Councilman Accomando – If you have an area with 200 units and sixty percent of those have two kids in grade school our schools can't handle that many children.

Ms. Rubinstein – There is a lot of this type of concerns that happen and that I believe are even somewhat set forth in the Montville litigation that unfortunately has been turned down for a second time by the courts for a stay but it's not taking into account anything except potentially for you could get a durational adjustment if you don't have sewer and water.

Councilman Accomando – So they can do what they want no matter what without consideration for residents the schools.

Ms. Rubinstein – Correct.

Councilman Accomando – There's nobody to fight that back.

Ms. Rubinstein – My recommendation is that by participating in the program and voluntarily complying with this process it puts you in the driver's seat to determine where you can fit it, how much it is and how you want it to look. So to the extent that you want to maximize your senior credits of that thirty percent that and avail yourself of the thirty percent that the legislation allows you to that puts you in the driver's seat. As long as you're the ones first determining what your plan is you can zone for senior only housing in a certain place that you know that you want it to be developed with that. If somebody comes in with a builder's remedy you lose that opportunity.

Councilman Accomando – It seems unfair to the Town.

Ms. Rubinstein – I don't disagree.

Council President Gierak – Anyone else have any questions?

Mr. Homsy – Through the Chair just to point something out that our planner is Colliers Engineering and we had calls all together and in looking at the proposal so they are engaged to provide us these reports and all aligned with the State deadlines all were required to submit to the State. The future housing plans the analysis and all the deadlines that we must meet we're engaged in they've always been our planner to my knowledge so the team of us here through the Mayor and Administrator's office we're all aligned in them and we're ensuring that we meet the base compliance and of course be presented to the Council as needed.

Council President Gierak – Thank you. It seems funny because I remember going through the last round and time does fly. We were talking about 2025 back then and we're like oh that's way into the future and here we are so.

Ms. Rubinstein – And we're right there with you. I had a child in grade school I was like ugh he'll be graduating high school that year that's so far away. Here we are.

Council President Gierak – Thank you very much.

Ms. Rubinstein – Thank you.

Council President Gierak – We have two resolutions.

Mr. Lo Dico – If the Council has no objections we'll take the two resolutions with one motion. It's to authorize advertising for proposal for redevelopment for 93-95 Market Street and the other resolution is to committing to the Township's fourth round affordable housing obligation as calculated by the DCA.

Council President Gierak – Do I have a motion to approve these two resolutions?

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

CR# 0125-23

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 *et seq.*, commonly known as the “State Pay to Play” Law, enacted by the New Jersey State Legislature shall become effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 *et seq.*, a municipality may not award a contract with a value in excess of \$17,500.00 to a business entity that had made a contribution within one year of the date the contract is to be awarded that is reportable by the recipient under P.L. 1973, c. 83 (c. 19.44A-1 *et seq.* to a municipal political party committee in that municipality if a member of that party is serving in elective public office when such contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contract is awarded unless the contract is awarded under a “fair and open process” pursuant to N.J.S.A. 19:44-20.1 *et seq.*; and

WHEREAS, a “fair and open process” constitute the following: (1) public advertisement of a Request for Proposals (“RFP”) with ..notice prior to the receipt of responses to the “RFP”); (2) award of contract under a process that provides for public solicitation of proposals; (3) award of contract under public disclosed criteria established in writing by the municipality prior to the solicitation of proposals; and (4) the municipality shall publicly open and announce the proposals when awarded; and

NOW THEREFORE BE IT RESOLVED, by the Township of Saddle Brook, County of Bergen and State of New Jersey that RFPs for professional proposals for the following:

1. PROPOSAL FOR REDEVELOPMENT – 93-95 MARKET STREET

BE IT FURTHER RESOLVED, that all of the RFPs for the professional services and extraordinary unspecifiable services as set forth hereinafter shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 *et seq.*, and all submissions in response shall be evaluated on the basis of the most advantageous submission, all factors considered, including but not limited to:

- (1) Experience and reputation in the field;
- (2) Knowledge of the Township and subject matter to be addressed under the contract;
- (3) Availability to accommodate any required meeting of the Township or Township Agency
- (4) Any other factors demonstrated to be in the best interest of the Township or Township Agency

BE IT FURTHER RESOLVED that the Township Clerk is directed to public notices of RFPs for proposals enumerated above, in a newspaper circulated in the Township of Saddle Brook by January 31, 2025. The notice of RFPs shall include the following:

- (1) A description of the requested professional or extraordinary unspecified service for which the RFP's made;
- (2) A statement that the proposal must be submitted by 10:00 a.m. on March 20, 2025;
- (3) A statement that the RFPs are being made by the Township
- (4) The address and phone number of the Township Clerk's office and a statement that applicants may obtain the RFP document from the Clerk's office;
- (5) A statement that the RFP is being made through a fair and open process in accordance with N.J.S.A. 19:44A-20.1 et seq.,

BE IT FURTHER RESOLVED that the Township Council has determined that the terms of this resolution constitute a fair and open process as to all positions included herein.

**RESOLUTION OF THE TOWNSHIP OF SADDLE BROOK, BERGEN COUNTY,
COMMITTING TO THE TOWNSHIP'S FOURTH ROUND AFFORDABLE HOUSING
OBLIGATION AS CALCULATED BY DCA**

CR# 0125-24

WHEREAS, on March 20, 2024, Governor Philip D. Murphy signed P.L. 2024, c.2 into law an Amendment to the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) (hereinafter "Amended FHA"); and

WHEREAS, the Amended FHA abolished the Council on Affordable Housing, also known as COAH, and delegated its responsibilities to the New Jersey Department of Community Affairs (hereinafter "DCA"), the New Jersey Housing and Mortgage Finance Agency, and the Affordable Housing Dispute Resolution Program (hereinafter "Program"), created by the same law; and

WHEREAS, the Amended FHA requires the DCA to calculate non-binding estimates of fair share obligations on or before October 20, 2024; and

WHEREAS, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimate of the obligation for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates the Township of Saddle Brook, Bergen County, Fourth Round (2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of 42 and a Prospective Need or New Construction Obligation of 279; and

WHEREAS, the Amended FHA provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended FHA would support lower calculations of Fourth Round affordable housing obligations; and

WHEREAS, the Amended FHA further provides that “[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or binding court decisions” (N.J.S.A. 52:27D-311(m)); and

WHEREAS, COAH regulations authorize vacant land adjustments, durational adjustments and other adjustments; and

WHEREAS, COAH regulations authorize municipalities to secure an adjustment to their rehabilitation obligation through a windshield survey; and

WHEREAS, based on the foregoing, the Township of Saddle Brook accepts the DCA calculations of the Township’s fair share obligations and commits to its fair share of 42 units present need and 279 units prospective need subject to any vacant land, windshield survey and/or any other additional authorized adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

WHEREAS, the Township of Saddle Brook reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

WHEREAS, the Township of Saddle Brook also reserves the right to adjust its position in the event of any rulings in the Montvale case (MER-L-1778-24) or any other such litigation or legislative action that alters the deadlines and/or requirements of the Amended FHA; and

WHEREAS, in the event that a third party challenges the calculations provided for in this Resolution, the Township of Saddle Brook reserves the right to take such position as it deems appropriate in response thereto, including that its Fourth Round Present or Prospective Need Obligations should be lower than described herein; and

WHEREAS, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the Township’s Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish, for example, unchallenged numbers by default on March 1, 2025; and

WHEREAS, in light of the above, the Governing Body of the Township of Saddle Brook finds that it is in the best interest of the Township to declare its commitment to the obligations reported by the DCA on October 18, 2024 subject to the reservations set forth herein; and

WHEREAS, in addition to the above, the Acting Administrative Director of the Administrative Office of the Court issued Directive #14-24, dated December 13, 2024, and made the directive available later in the week that followed; and

WHEREAS, pursuant to Directive #14-24, a municipality seeking a certification of compliance with the FHA shall file an action in the form of a declaratory judgment complaint . . . in the county in which the municipality is located . . . within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner”; and

WHEREAS, the Township of Saddle Brook seeks a certification of compliance with the FHA and, therefore, directs its Affordable Housing Counsel to file a declaratory relief action within 48 hours of the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED on this 29th day of January, 2025 by the Mayor and Council of the Township of Saddle Brook, Bergen County, New Jersey as follows:

1. All of the above Whereas Clauses are incorporated into the operative clauses of this resolution.
2. For the reasons set forth in this resolution, the Township of Saddle Brook hereby commits to the DCA Fourth Round Present Need Obligation of 42 units and the Fourth Round Prospective Need Obligation of 279 units described in this resolution, subject to all reservations of rights which specifically include:
 - a) The right to adjust the number based on a windshield survey, lack of land, sewer, water, regional planning inputs, or any combination thereof;
 - b) All rights to revoke or amend this resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA;
 - c) All rights to take any contrary position in the event of a third party challenge to the obligations.
3. The Township of Saddle Brook hereby directs its Affordable Housing Counsel to file a declaratory judgment complaint in Bergen County within 48 hours after adoption of this resolution, attaching this resolution.
4. The Township of Saddle Brook authorizes its Affordable Housing Counsel to attach this resolution as an exhibit to the declaratory judgment action that is filed and to submit and/or file this resolution with the Program or any other such entity as may be determined to be appropriate.
5. The Township of Saddle Brook hereby directs its Township Clerk to post this resolution on the Township website within 48 hours after adoption of this resolution, attaching this resolution.
6. The Township of Saddle Brook shall undertake all acts necessary to adopt a housing element and fair share plan to address its present and prospective need obligations as provided for by the Amended FHA, for filing by June 30, 2025 as part of the declaratory judgment action authorized herein.
7. This resolution shall take effect immediately, according to law.

Motion: Councilman Cimiluca

Second: Councilwoman Sanchez

Roll Call:

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

Mr. Lo Dico – Next we have a number of ordinances continuing with the housekeeping of adjusting our code book. We have an ordinance from 1949 about hunting and firearms and speaking to the Mayor we have State statutes that cover when you can carry a gun. This one said you can't do it unless it's hunting season and all that stuff. We have others that conflict. We had an ordinance that said you can't park on the street you can receive a ticket if it's two inches or more. The other one says when streets are snow covered we're going to change that to go with when streets are snow covered. We have two other ordinances that conflict and we're going to take that out and abide by any State regulations and our assessor had suggested that the Township adopt an ordinance which many towns have concerning how 100% disabled veterans can apply and receive their deductions that they're entitled to. So we can do for first reading.

Councilman Accomando – Through the Chair. The firearms one should we update that firearms ordinance based on the fact that people are doing concealed carry permits?

Mr. Lo Dico – I think it's probably regulated by the State this is more for hunting than firearms.

Councilman Accomando – Do we have one for the Town like you can't carry.

Mr. Lo Dico – That could be a separate consideration after we rescind this one refer to the attorney on that. This one's pretty much outdated about where you can operate or have a handgun with schools within 500 feet with homes you could hunt in the woods. So we're now first reading ordinances and thank you to the attorney again that we do it all in one shot.

ORDINANCES

1. ORDINANCE # 1768-25 – FIRST READING

AN ORDINANCE TO AMEND CHAPTER 5 ENTITLED “ADMINISTRATION OF GOVERNMENT” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

Council President: The next order of business is the introduction of

AN ORDINANCE TO AMEND CHAPTER 5 ENTITLED “ADMINISTRATION OF GOVERNMENT” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

be passed and adopted on first reading.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando - yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – yes
Council President Gierak - yes

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

Clerk: Then reads the resolution as follows:

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL THAT:

CR# 0125-25

AN ORDINANCE TO AMEND CHAPTER 5 ENTITLED “ADMINISTRATION OF GOVERNMENT” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the February 20, 2025 at 7:00 PM, or as soon thereafter as the matter can be reached at the Municipal Complex, 55 Mayhill Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a time and place when and where said ordinance will be further considered for final passage.

Motion: Councilwoman Mazzer

Second: Councilwoman Sanchez

Roll Call:

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

2. ORDINANCE # 1769-25 – FIRST READING

AN ORDINANCE TO AMEND CHAPTER 29 ENTITLED “PERSONNEL POLICIES” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

Council President: The next order of business is the introduction of

AN ORDINANCE TO AMEND CHAPTER 29 ENTITLED “PERSONNEL POLICIES” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

be passed and adopted on first reading.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

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

Clerk: Then reads the resolution as follows:

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL THAT:

CR# 0125-26

AN ORDINANCE TO AMEND CHAPTER 29 ENTITLED “PERSONNEL POLICIES” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the February 20, 2025 at 7:00 PM, or as soon thereafter as the matter can be reached at the Municipal Complex, 55 Mayhill Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a time and place when and where said ordinance will be further considered for final passage.

Motion: Councilwoman Mazzer

Second: Councilwoman Sanchez

Roll Call:

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

3. ORDINANCE # 1770-25 – FIRST READING

AN ORDINANCE TO AMEND CHAPTER 108 ENTITLED “HUNTING AND FIREARMS” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

Council President: The next order of business is the introduction of

AN ORDINANCE TO AMEND CHAPTER 108 ENTITLED “HUNTING AND FIREARMS” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

be passed and adopted on first reading.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

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

Clerk: Then reads the resolution as follows:

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL THAT:

CR# 0125-27

AN ORDINANCE TO AMEND CHAPTER 108 ENTITLED “HUNTING AND FIREARMS” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the February 20, 2025 at 7:00 PM, or as soon thereafter as the matter can be reached at the Municipal Complex, 55 Mayhill Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a time and place when and where said ordinance will be further considered for final passage.

Motion: Councilwoman Mazzer

Second: Councilwoman Sanchez

Roll Call:

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

4. ORDINANCE # 1771-25 – FIRST READING

AN ORDINANCE TO AMEND CHAPTER 196 ENTITLED “VEHICLES AND TRAFFIC” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

Council President: The next order of business is the introduction of

AN ORDINANCE TO AMEND CHAPTER 196 ENTITLED “VEHICLES AND TRAFFIC” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

be passed and adopted on first reading.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

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

Clerk: Then reads the resolution as follows:

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL THAT:

CR# 0125-28

AN ORDINANCE TO AMEND CHAPTER 196 ENTITLED “VEHICLES AND TRAFFIC” OF THE TOWNSHIP CODE OF THE TOWNSHIP OF SADDLE BROOK, STATE OF NEW JERSEY

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the February 20, 2025 at 7:00 PM, or as soon thereafter as the matter can be reached at the Municipal Complex, 55 Mayhill Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a

time and place when and where said ordinance will be further considered for final passage.

Motion: Councilwoman Mazzer

Second: Councilwoman Sanchez

Roll Call:

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

5. ORDINANCE # 1772-25 – FIRST READING

AN ORDINANCE TO ESTABLISH A NEW CHAPTER OF THE TOWNSHIP CODE ENTITLED PROPERTY TAX REFUNDS FOR DISABLED VETERANS IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY

Council President: The next order of business is the introduction of

AN ORDINANCE TO ESTABLISH A NEW CHAPTER OF THE TOWNSHIP CODE ENTITLED PROPERTY TAX REFUNDS FOR DISABLED VETERANS IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY

be passed and adopted on first reading.

Motion: Councilman Accomando

Second: Councilwoman Sanchez

Roll Call:

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

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

Clerk: Then reads the resolution as follows:

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL THAT:

CR# 0125-29

AN ORDINANCE TO ESTABLISH A NEW CHAPTER OF THE TOWNSHIP CODE ENTITLED PROPERTY TAX REFUNDS FOR DISABLED VETERANS IN, BY AND FOR THE TOWNSHIP OF SADDLE BROOK, COUNTY OF BERGEN, STATE OF NEW JERSEY

heretofore passed on first reading, be further considered for final passage at a meeting to be held on the February 20, 2025 at 7:00 PM, or as soon thereafter as the matter can be reached at the Municipal Complex, 55 Mayhill Street and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance according to law, with a notice of its introduction and passage on first reading and of a time and place when and where said ordinance will be further considered for final passage.

Motion: Councilwoman Mazzer

Second: Councilwoman Sanchez

Roll Call:

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

Council President Gierak – Just going along with the agenda here old business or new business anyone have anything.

None of the Council members have anything.

Mayor White – Mr. Homs do you want to read up on that Sterling or we could talk about it at the next work session.

Mr. Homs – I think it would be appropriate to speak at the next work session with regards to the residents. We are the notice that we're giving to them is for February 13th our next work session.

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

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

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

Mr. Dziedzic – The affordable housing you have a Friday 5:00 pm deadline to appeal which hundreds of towns will regarding our 279 number, Midland Park's 155, Waldwick's 178, Lodi's 140, Hasbrouck Height's 149, Emerson 189 how we have 279 is completely outrageous and should be argued about. If you don't appeal by Friday there is a strict June 30th deadline on an actual plan for the 279 which shouldn't be over 200 I mean Lodi is 140 we're 279 and then including this year they're to be built by the year 2035 physically. So you have a 5:00 pm deadline a June 30th deadline for an actual plan they have to be built by 2035 and Lodi gets 140 Midland Park gets 155 we're at 279 it's outrageous.

Mayor White – When it comes to Lodi I know the answer to that they are bigger than us but they already have a lot of affordable housing. We don't have much at all.

Mr. Dziedzic – If your variable is land capacity and ours is zero I don't know how Emerson 181, Waldwick 178 I don't know how you get 279 is outrageous.

Mayor White – I agree with you on those other ones Emerson is a lot the same as us I can't answer that.

Ms. Rubinstein – I can.

Councilman Cimiluca – How is a town that's larger in size than us and probably has more per capita income than we do has a lower obligation.

Ms. Rubinstein – So a town that is larger than you with a.

Councilman Cimiluca – If they're larger in land size I don't know why.

Ms. Rubinstein – I do have the benefit of I did Emerson's third round plan and they do not have a lot of available land. They are a little bit larger in area but there are a lot of single family residential. I'm assuming in this round they probably got most of their obligation through the golf course and more than likely the reservoir that's there for I guess Veolia. I anticipate they will be doing a vacant land analysis based on what I know from the prior round because there are deed restrictions on that water area. They can't go 300 feet within the water or even the property line and the golf course is still functioning so it's not actually considered vacant when it comes time to develop your plan. So again the obligation number for most Bergen County towns is just a number it is not what the Township is going to have to do. You're going to do your vacant land analysis and your realistic development potential is going to be such a small fraction of that, that I wouldn't even hyperfocus on the 279 number. The other thing to keep in mind is also that you've been blessed with some commercial development in recent years Emerson has been stagnant with their redevelopment project at the center of town and I'm not sure that

anything else has actually happened in the last ten years for it to add that second component which is your nonresidential equalization value. That's based on your tax records if these items I believe 4A, 4B I'm not a tax appeal attorney I apologize I don't know the exact letters for the record cards but that's based on commercial development that has been created or expanded upon in the last ten years. I don't believe Emerson has a high number there I do not have the full report here from the DCA to tell you but I will say your land area is the smallest so it just means that you've been blessed with better commercial ratables and a higher income.

Councilman Cimiluca – In terms of the residents concerned about the 2035 deadline for building the units and I thought you had said that we don't have to build them.

Ms. Rubinstein – You have to provide a realistic development potential. What I will say is in the year 2030 you're going to be asked to take a look at your plan see what you said you had zoned for and to the extent that something hasn't been built you have to look at is there something that is stopping it from being built should we trade it out for a different realistic site and if it's just that the builder has decided not to move forward that doesn't make it unrealistic. So by the way of example I have plenty of towns from the third round that have let's say a United Way project. Tom Taranto has been drowning with towns wanting him to put in special needs housing or other United Way, Madeline Corps type projects. They're still in the round three plan they're not built yet but nobody's taking them out of the plan and nobody's going to sue to say you have not been constitutionally compliant because Bergen County United Way hasn't put a shovel in the ground yet. There's movement and there's only so much funding so when the time comes in 2030 we'll do that midpoint review and say you know what maybe this one would be better as commercial and we're going to offer this site up for residential instead or we're going to say this site is doable and the stars are going to align within the next five years and we'll see where we are. If in 2035 it didn't get built then we'll take a look back and see whether different opportunity needs to be created but again the Township is not required to put a shovel in the ground themselves.

Councilman Accomando – We had the Garden Plaza Hotel it was rumored that was supposed to be assisted living does that count as.

Ms. Rubinstein – Yes assisted living does count towards your supportive housing need just based on a separate statute for assisted living they have to put aside ten percent of the beds for Medicaid beds and that ten percent will count towards your supportive housing obligation. You don't have an obligation for supportive housing but there's a maximum of supportive housing you can use towards your obligation and you would be able to utilize that ten percent.

Councilman Accomando – Would it be better for us to push that project instead of having them come here and tell us what we should do or.

Ms. Rubinstein – it is certainly something to sit down and discuss as we move into the next phase after March 1st.

Councilman Accomando – I know the number's only 279 and say it's accurate but 279 is a crazy number.

Council President Gierak – If I recall correctly in round three here back in 2015 from before that our obligation was a number of 400 and obviously we didn't do 400.

Ms. Rubinstein – Correct you had a vacant land analysis and you adjusted that for your realistic development potential.

Councilman Cimiluca – We didn't get punished for not doing that.

Ms. Rubinstein – Correct.

Councilman Cimiluca – Do you anticipate us getting punished in 2035?

Ms. Rubinstein – It'll be the same process the only thing that's changed is who we're submitting it to and how.

Mr. Dziejczak – So when is this since you have five months to put together a plan for 279 units is that going to be shown in March and April and there are dozens of towns and hundreds of towns by Friday will be joining a lawsuit which they have tens of thousands hundreds of thousands of dollars to spend on lawyer fees. They need to be built on the last day of 2034 as it is written now. You tell me in five or six years they'll change the law right now as we sit here the last day in 2034 they need to be built by.

Ms. Rubinstein – Respectfully I don't think you're reading this correctly .

Mr. Dziejczak – That's how it's being communicated to dozens of towns all over Morris County and various suburban townships.

Ms. Rubinstein – That is incorrect information sir the round goes until June 30th of 2035 there is no deadline of December 31, 2034.

Mr. Dziejczak – They need to be built physically by 2035.

Ms. Rubinstein – You are incorrect.

Council President Gierak – I don't know if you're getting your information off the internet there's a lot of very incorrect information on there.

Mr. Dziedzic – Okay just an estimate if you guys aren't going to appeal and fight this an estimate on when the plan for whatever number that's agreed upon when these are going to be announced and presented from the Council.

Ms. Rubinstein – Actually it'll be before the Board it's a housing element it's part of your Master Plan element there'll be a public hearing on it, it will be well advertised.

Mr. Schettino – Before June 30th.

Mr. Dziedzic – Sounds good thank you.

Councilman Cimiluca – One last thing again focusing on the 280 I know we're trying to get away from the 280 but the plan is it developing land for a potential of 280 not that we've got to designate 70 units are going to be here 80 units are going to be there and we have to come up with that 280 and say here's your pieces of property this is what we're going to do and we're going to stuff 280 units.

Ms. Rubinstein – No and I would caution even saying that the plan has to be developed for 280 the plan will be developed for whatever your realistic development potential is which will be a very small number in comparison. So whatever your vacant land analysis shows which to the gentleman from the public for his concern just so that he knows as your administrator already mentioned the planner is already moving forward to start working on that vacant land analysis now we're not going to wait until March 1st because quite frankly whatever your number is, is what it is as far as the obligation. What you're going to produce a plan for is going to be based on that vacant land analysis it's not going to be based on this number.

Council President Gierak – Motion to close the meeting to the public.

Motion: Councilwoman Mazzer

Second: Councilman Cimiluca

Roll Call:

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

Mayor White – I just have one thing I should have really brought it up at the new business. I wanted to bring it up because Andy Gallo our Recreation Director brought up to me that he's looking into a concert in early June it would be a Friday night it's the first Friday in

June he wants to hire the Nerds which is a real big band. They're a little bit pricey but yeah.

Councilman Accomando – We have to call for that with the residents for a band like that.

Mayor White – Here's my thinking. You know we did four concerts last year and without sounding negative I just think they would be younger. Maybe I know Councilman Cimiluca thought it was the advertising or the lack there of and we did more there maybe it's the middle of the week maybe people don't want to come out Friday night might be better.

Councilman Cimiluca – I think that a band like the Nerds which you're not going to get it's not going to be all Saddle Brook they have people that follow them all around the State so one of the thoughts and I attended all of the concerts and the last one which was our local bands our local bands probably drew as much as the other ones and they were a lot less. I think what we do is we have three football fields outside and people are three football fields away listening to the band I mean I think we better corral people to give it that look that it's crowded. If I'm here we've got the room it's almost like COVID again every 20 feet there was two people and no one wanted to sit next to each other corral them in at least it seems like you've got some people there but the number of people don't look great because listen if we throw a thousand people in the middle of Yankee Stadium it looks like nothing but if you put a thousand people in a couple of rooms it looks like the place is really crowded. So I think we've got to do a better job of making sure people sit within the boundaries because people are all over. You can be on one side they're 300 feet away from each other. We're not built like that I think it's just the optics. It looked like it wasn't well attended but it may have been well attended we just have such a huge place.

Mayor White – We counted about a hundred people for each one.

Councilman Cimiluca – I was as upset as anybody I'm like where the hell are the people. People in Town always want for this let's do stuff and we're doing it and them just come out.

Mayor White – I'd just like to see us get more bang for the buck we're spending a lot of money. We do a lot of events we really do the budget's tight I don't know I have nothing against it I went to all of them although the last one I was away but I mean I think it's great that there's certain people that want it and there's certain residents that come to every one of them but it's a lot of money to spend on something that when I think the majority are residents but you don't have to be a resident it's a free concert and you can come from anywhere.

Councilman Cimiluca – You go to Paramus and they have a whole bunch of people. You know every has these things and they're crowded and people follow bands so we didn't have a Tusk which is the Fleetwood Mac band people said we'll go to Montvale if they're playing people go all over the place. I was hoping that we could get some of that here.

Mayor White – I think maybe we were a little late to the dance. What I mean by that is every town around us really did it before us Elmwood Park did it.

Council President Gierak – They have like six or eight concerts.

Mayor White – So I don't know Fair Lawn's been doing it by the pool for years.

Council President Gierak – Ridgewood does it every week in the summer.

Mayor White – Maybe on the weekend a Friday we'll get more people to come out get a bigger name band.

Councilman Cimiluca – They're all doing it Tuesday, Wednesday and Thursday. Friday starts the weekend and not a lot of towns are doing that.

Mayor White – In the summer people go away.

Councilman Cimiluca – Maybe that's why they do it but there's a lot of people that don't go away.

Mayor White – That's why too they wanted me to talk to you about it because we have to book it.

Councilman Cimiluca – Two things I think we get the banner if the car shows can get a banner we can get a banner. If we know who they are we put the dates on there no one can say that they're not big. Another thing is we had that board I thought that was the greatest thing that board everyone loved it because they knew exactly what was going on. Two things I was thinking about can we fit that by the Police Station and number two is there any chance if we do this redevelopment on the triangle part where Harrison meets Market that may be useless land to a developer. I don't know what they would do with it if we could possibly retain that small piece there's electric there and put something there to advertise things.

Mayor White – We could do a shared service with the school. You know what Washington School would be a great spot there.

Councilman Cimiluca – I think that works so well. If anyone said I didn't know about it and we had it on that board then they know about it.

Councilman Accomando – Back to the concerts and banners we really don't solicit businesses in Town for much of anything.

Mayor White – The picnic we do.

Councilman Accomando – We have what seven pizzerias in Town maybe they can pay for a banner and sponsored by Grumpy's or Brothers just bring in more business and help us out.

Mayor White – Somebody's got to do it and I can't have Andy and Diane they're Town employees I can't have them going out there asking for donations.

Councilman Cimiluca – I talked about the donations for this and Ms. D'Arminio when she was in charge of projects and I said well her focus was on the Township Picnic which is a big thing but other towns have picnics and you know we hit the same people up all the time but there still is they can share the wealth. So it's like a thousand for this project and a thousand for this project. The bands don't cost that much but all in all I think I remember East Rutherford used to have it pretty much every week and they didn't pay a dime. They never paid one penny to get any of those bands there because it was all sponsored and they had a lot of them. We have the one cannabis place isn't that part of what they're supposedly doing get some money from that revenue.

Council President Gierak – Mayor do you want to go ahead with this Nerds Concert?

Mayor White – I'll tell you this we can try to fund raise for it. My thing was it is expensive and I don't want to spend all our money on that one and then not have enough money to do anything else either that was my concern. I think if we work together you know we can talk about that.

Council President Gierak – What about doing this one and then two local bands?

Councilman Cimiluca – If we do the Nerds which is a high end band and a pricey band but they've got a big following and we get the Nerds here and we find that there is 150 people then maybe it's not for us. That will tell us if we can get a band that's a very popular band that draws a lot of people and yet they're not coming here for whatever reason don't do it. I think we also need to make it more of a likable atmosphere and have a food truck there or something.

Mayor White – That’s what Andy mentioned too make it more of a community event have some food trucks.

Councilman Cimiluca – Have a food truck and make it seem like it’s more of a party atmosphere.

Mayor White – Yeah.

Councilwoman Mazzer – Is it a lot more than the price than the other bands I’m just curious.

Mayor White – What did he say Mr. Homs \$5500?

Mr. Homs – I haven’t received a quote but they are probably double that.

Mayor White – The most expensive one was I think the Billy Joel band one I think he was \$3000. I think that was the most we spent.

Mr. Homs – You can get a quote from them and I’ll see some dates with their availability but they do have a large following.

Councilman Cimiluca – They play in bars what bar is paying them \$5000 to come to Sea Girt and play.

Council President Gierak – You’d be surprised with the cover charges I don’t know.

Councilman Cimiluca – Maybe they get a piece of the gate.

Council President Gierak – So we’re going to go ahead with the Nerds on that Friday everybody’s good with that.

The Mayor and Council agree to have the Nerds play a concert for the Town.

Council President Gierak – Motion to adjourn.

Motion: Councilwoman Mazzer

Second: Councilman Accomando

Roll Call:

Councilman Cimiluca – yes

Councilman Accomando - yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – yes

Council President Gierak - yes

Meeting adjourned at 6:32 P.M.

Respectfully submitted,

Peter Lo Dico, RMC, CMC
Township Clerk

David Gierak
Council President

Approved: April 17, 2025