

The minutes of the Special Public Meeting of the Township Council of the Township of Saddle Brook held on March 5, 2026 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 Gierak – present
Councilman Accomando – present
Councilwoman Sanchez – present
Councilwoman Mazzer – absent
Council President Cimiluca – present

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

Council President Cimiluca – 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.

Notice is hereby given that beginning January 1, 2026 the complete text of all legal notices required to be published in the township of Saddle Brook shall be obtained or viewed on the Saddle Brook website-saddlebrooknj.us. In addition, the New Jersey Secretary of State will be establishing a legal notice hyperlink page allowing members of the public to find hyperlinks for every municipality. On or about March 1 a hyperlink to the Secretary of State's webpage will be published on the municipal webpage as soon as same is available.

Council President Cimiluca – Just so everyone's aware what we're doing now at the beginning of this is a special meeting dealing with affordable housing. Immediately thereafter we're going to go into our regular work session. So if you have comments you might want to save them for the work session. I don't anticipate that we'll be very long on the affordable housing. Do we have our legal counsel here today?

Mr. Homsy – I believe he's in traffic but we could also call when we need to try and get him on the phone.

Council President Cimiluca – He could explain the ordinances certainly better than I can.

Mayor White – Is there an ETA?

Mr. Homsy – I don't have an ETA.

Mr. Schettino – We have to first open to the public outside of the ordinances so maybe you want to do that and advise the public that they'll have an opportunity to speak to the ordinances when we open each ordinance up open for public comment.

Council President Cimiluca – I'm trying to compartmentalize everything so this is really the affordable housing I would prefer that people make comments about the affordable housing and then close it for them and then do it on the regular meeting because I know we have a couple of Lyster Ave and Chefler Foods people here.

Councilman Accomando – Can we open it to them at least they're here ready to complain.

Council President Cimiluca – So you guys don't have to wait what the special meeting's about there's no prohibition I guess on the special meeting limiting the public comments. Even though the special meeting is about the affordable housing is there any prohibition that somebody can't talk about something else at that special meeting?

Mr. Schettino – No during the public comment part of the meeting other than for the ordinances they can comment on any issue they want.

Council President Cimiluca – I'll entertain a motion to open the meeting to the public.

Motion: Councilman Gierak

Second: Councilman Accomando

Roll Call:

Councilman Gierak – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

Council President Cimiluca – We'll do public comments on anything other than affordable housing. We now have counsel here and we're going to ask you to go over some stuff about all the ordinances that are on for tonight. So anybody that wants to talk about anything other than affordable housing come on up.

Roy Jancio, Jr. of 506 Lyster Avenue comes forward. I represent the residents of Lyster Avenue and Steinway Road. We're here about the business at 400 Lyster Avenue. It's been an ongoing problem in the last two years it's out of hand and we're asking for your

help. Over the years you post up on social media and you hope you get somebody's attention and unfortunately we didn't. So we're here today to get people's attention. I asked the Mayor in an email if he had the zoning variance for parking spaces for that building. I haven't had it I don't know if you guys have it. As you know everything's on the internet now so I took a little liberty to look it up and it turns out there's about 92,000 square feet of warehouse space and about 4,000 square feet of office space according to Zillow and whatever it was. So with the parking spaces it's 1 parking space for every 1000 square feet of warehouse space and it's one parking space for every 150 feet of office space. So that would make a total of 126 spots. Currently you go down there there's 46 parking spaces because they built this generator or whatever they did to upgrade the electric in the place. So they are 80 spots below the amount that they're supposed to have. The reason I bring this up is because parking on the street is crazy and by having them have all these parking spaces will eliminate all the parking on our block because according to the ordinance I have its chapter 206 of zoning of the Saddle Brook zoning laws and if you go down there the warehouse is exactly what I just said. It's off street parking it's for their employees and that's just the minimum or the maximum If they have more employees and guests and all that other stuff that's in this ordinance. Unless you guys have something else they're way under it and this would eliminate a lot. This would eliminate the noise at night slamming doors, playing the radio at night while they're eating lunch in their cars, zooming up and down our street they can use a service road. So we're asking you guys for some help on that and some clarification on that. There's a noise ordinance in Saddle Brook and I was wondering it's in the peace and good order chapter 147. It's in a State Noise Council act standards where from what I understand maybe I'm wrong between 10:00 pm and 8:00 am there's supposed to be no noise. We have people, trucks parking up and down our blocks making noise throwing garbage. I mean the list goes on and on. I lived there over 20 years I've been in Saddle Brook over 50 years my dad's here 70 something years Nick Willy's been 48 years. We lived in this area the whole time and only once we had a problem with this building. The building was a Lincoln Tech and what happened was the Mayor and Council got behind us and got rid of Lincoln Tech. That's what I say to you guys not to get rid of them but help us solve these problems. The other thing is the safety and health. The Police department does a great job; the Fire Department does a great job. They've been down there numerous times for fights, fire alarms, trucks on fire it's a safety hazard. From what we understand from speaking to the workers who hate the management there it's a manufacturing place they're actually manufacturing food. So was the ventilation done properly because if you talk to residents on Steinway on that side of the block where I grew up they can't even go outside on the weekends because they're ventilating and my dad's got pictures these big hoses coming out the side door and it's a mustard sauce that they're cleaning out the vats and all the other stuff. You know that's going in our sewer system. From what I understand and maybe I'm wrong they're supposed to upgrade the sewers to have like a water treatment plant before they flush it down the sewer. I don't know if that's manufacturing for that if that's what it is this could be affecting the health and safety of all Saddle Brook residents not just Lyster and Steinway. So we're asking for your help and your input and we look forward to you working with us so we can go down to a solution because what's happening now is not good. There's a trailer parked constantly parked in a fire lane on the east side of the building. We looked at the east side of the building and the zoning laws and it seemed like there was a zoning permit or whatever to upgrade that and was it to upgrade manufacturing because the applicant requested to use the rear east side of the property

for truck parking which included exterior improvements like new timber curbing, gravel paving and landscaping. So this is all we have to go by if you guys have more we'd love to see it. We're entitled to see that we're residents to that community and we never got certified mail to change something that's not in the law of what was there prior. We had Marcal there for years never saw them never heard them it was the best. We want to go back to the best. We're willing to work with everybody but we need something better. We pay taxes like everybody else. Whether they're there or not you're still going to get taxes so it's not about taxes or anything like that. It's about a business continuing to hurt the community or a Town that's going to help the residents like it did in the past thank you.

Council President Cimiluca – Stay there we'll probably respond afterwards.

Nicholas Wille of 518 Lyster Avenue comes forward. So we've been here before on this. What I'd like to know is if the upstairs office is sublet because all of a sudden we have more traffic on the road now 2:00 in the afternoon they load up the street as soon as the ordinance is done. Also now the police have been there every day haven't given out tickets yet not for them but for a resident put warning signs. I had mentioned that we're the residents there and everything and they said well we have to follow the signs all 15 of them. We have a lot of signs on the block with 13 houses. The gentleman that owns the business he was before the Zoning Board last year and he wanted to pave the back lot and put refrigerated trucks there that were going to run 24/7 all night long and they turned him down so he couldn't do it. I don't see why if he was going to spend money to pave the lot for them trucks why can't he pave that back lot for his employees' cars. I mean the Town should look into that because they're not going to talk to us. The thing with the traffic 3:00 in the morning they get a break like he said they sit in their car blasting the music and stuff. I go out there I say stuff to them. Now I know the police are down there quite often. They must have a lot of trouble in the building with the workers. One day a guy's coming down the block doing at least forty or fifty cause they speed not all of them. Don't get me wrong a lot of the people are very good they come up and down the block they're fine. I'm sitting in my car I just backed out I'm talking to my neighbor and I tell the guy slow the F down. He keeps going goes to the end of the block and I see him in my side mirror coming back. He comes back he starts giving me a hard time. I said look dude I'm telling you to slow down you're speeding down the block you're like a maniac. He goes you don't know what I have in my car. I go really you're threatening me I said I'll just call headquarters we'll have a cop come here and see what you got in your car all of a sudden his attitude changed. This is what we're putting up with on the block. Hairnets in our property, liquor bottles on our property because the three to eleven at lunch time they walk over to the liquor store. It's ridiculous we need help we asked you this last time. Well we got the signs which are too many but they don't really work anyway and the Town's got to look into it because you know what I'm going to tell you all right now if something's not done I'm going to call ICE and I'll have ICE come down here to that place, the one on Kenny Place and the one in Elmwood Park then we'll see how many of his employees are taken away. Because we're not getting any help here. We've asked for it we would appreciate it. If you guys can't help us tell us who we should go to to get help. You all live in the Town Mayor you've been here all your life I've been here all my life just about. We need help there need help. Now four or five houses on our block have short driveways. They can fit one car up against the garage door but their second hangs into the sidewalks they don't want to do that. They can't park in front of their house during the day. It's

ridiculous they got to drive around the block to park on Steinway. It's nuts something's got to be done now. Why can't we get resident parking and it's legal. There's five towns in Bergen County that have it. So it's got to be permissible to do. We need some kind of help we just do. The hairnets on our property, liquor bottles on our property. Roy we had the snow it's this deep you know plowed and everything he puts his garbage can at the end of the driveway but over a little bit just so he can get out. They just picked up his garbage can threw it on the thing parked there. Another ordinance the Town can put in three to five feet away from the edge of the driveways a lot of towns have it. It's got to be a Town ordinance to put in. They park the back of their cars and the front of their cars right at the edge of your driveway. Now as we know a lot of people have SUV's now. I have a sedan when I'm backing out of my driveway I can't see a thing looking either way because of all the SUV's. Then you're trying to back out and they're flying down the block forty miles an hour. So we need help with that also because they squeeze 3 cars where only 2 should be. They're hanging off into your driveway a little bit. Whatever you can do for us we would appreciate it that's all. Thank you.

Steve Mariconda of 24 Harrison Avenue and the Saddle Brook Green Team comes forward. International Dark Sky week is coming up in April and I know last year we passed a proclamation and I want to just ask if we can renew the proclamation for this year. Secondly in terms of the light pollution ordinance which was passed last June. I'm not sure if a notice went out to businesses but some of the worst offenders they still haven't complied with the ordinance. So I'd be happy to help with any of this I'll even help enforcing it if you need me to come and swing by and see if a light is not in compliance I'm happy to do that. Also James Maniscalco from the Planning Board he's equally as passionate about this ordinance as I am. I'm willing to help in any way I can to have this ordinance be properly enforced. At some point there's some language provisions that may need to be made to the ordinance in terms of just on reviewing it a year later so also happy to help with that. Thank you.

Council President Cimiluca – Anyone else at this point in this meeting wish to make a public comment? If not I'll entertain a motion to close the meeting to the public for this special session.

Motion: Councilman Gierak

Second: Councilwoman Sanchez

Roll Call:

Councilman Gierak – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

Mayor White – Through the Chair I would like to at least comment a little bit about the residents from Lyster that spoke. Basically what I have to say is that both Mr. Wille and Mr. Jancio you come up here and ask for help and the way I see it I know you've been here before and we have helped you with the tractor trailers that were using Lyster.

Mr. Wille attempts to interject and is reminded by Council President Cimiluca that the public had their chance to speak and now they are not permitted to comment whether or not they like what is being said.

Mayor White – I want to respond to you Mr. Wille and we can always talk later about this but the tractor trailers was an issue and we did through the Police Department and through putting up that cone there it has helped a lot from what I can see. The noise well let me talk about what we have done. The parking was a problem we put up those no parking signs. I know you're upset that there's too many of them but they are up in front of everybody's house. Up until this recent complaint and I'm going to have the Police Department discuss this and other things the complaints that they've received but that was addressed the parking was addressed. You're telling me here today that not sufficiently but from what I gathered it was addressed and it was okay. Now Mr. Jancio as far as you keep mentioning and you mentioned in your email to me and you mentioned here tonight about complaints on Facebook. I have four thousand friends on Facebook not that they're all my friends but I have a lot of people that I'm friends with. I don't see this stuff so by putting it on Facebook it's not the right way if you have a complaint we know each other you can come see me, you can call my office, you can call the Police Department putting it on Facebook you might as well not put it out there at all because if I don't see it the Council members don't see it the Town doesn't see it. It's worthless to do that and so that's that. So let me just talk about some of the things that you said that I haven't received any complaints about or I had no knowledge of. The noise between 10 pm and 8 am. I think the Police Department over the last two years zero noise complaints.

Mr. Jancio tells the Mayor to come to his house that's all he hears all night long.

Council President Cimiluca reminds Mr. Jancio that he had his turn to speak.

Mayor White – We can talk later but what I'm saying is if you don't complain, if you don't make a formal complaint, if you don't call the Police Department, if you don't call Townhall, if you don't call my office, you don't tell any official in the Town we don't know about it. I'm telling you and the police I've gone through every complaint that they've received in the last two years. So how do we know about it. Now the odor that's news to me. I've never heard one person say and I talk to a lot of people. No one's ever come up to me I'm everywhere I go to every event.

Mr. Jancio says something from the audience.

Mayor White – What I'm saying is I don't know about it.

Council President Cimiluca – I think the problem is that when we address specific people that their natural response is to respond so if you want to just talk in generalities and not direct anything to any individual.

Mayor White – You're right. So anyway the odor I have never received any complaint or have known about an odor. Supposed to have filtration on the sewer line we have our Building Inspector and Sub Code Official Tony Ambrogio here I want him to address that and also the parking spaces they don't have enough. I know they had to get a CO so I

don't know what the situation is there but it must have been allowed to go there they must have got a variance or whatever. As far as the upstairs office being sublet I don't know Maybe Mr. Ambrogio knows that but I doubt that's true because it seems like they're running out of room there for their own operation. The noise, the speeding, the hair nets, I don't know if the liquor bottles Mr. Wille did mention that one time the last time he was here. Mr. Ambrogio can you explain?

Council President Cimiluca – We're going to ask Mr. Ambrogio to discuss a lot of the zoning issues, especially the parking. I know this matter has come before the Zoning Board a number of times and there were variances given and I'm not sure if any of the variances were in regard to parking so maybe you could enlighten us on that.

Mr. Ambrogio – Originally when they came to us it was a continuance of a nonconforming use over there. So they continued the use the office space that's there was always there so there was no increase. When you continue a use you're allowed to do that according to our zoning it's grandfathered in. The parking was always deficient and there was no variance that was needed because what was there I think it was Acme International and then Chefler Foods came in. Prior to that was the school I believe my best recollection. The school was there before me maybe not. I know it was Acme International to Chefler Foods that's for sure. So that was a continuation of a nonconforming use that's how it initially got approved. Again the office space upstairs was always there and the parking was always there the same that it was so there was no variance that was needed. As they grew they became more of a problem to you and to us so we sent them we told them that they wanted to continue and they wanted to do what they wanted to do there they were parking way to many tractor trailers. We sent them back to the Board they went back to the Board in I think it was 2022 and then again in 2024. They were supposed to pave an area behind the building which Mr. Wille was right but at the same time while they were doing that they were going for an application on Kenny Place here in Saddle Brook. So they were saying that we want to hold off on this application because we're going to be taking over a warehouse space on Kenny and also putting additional offices at Kenny. So the Board then they finally finished the application at Kenny. They came back to the Board about Lyster and the Board decided that they didn't need to do that parking because they agreed that instead of parking the vehicles behind Lyster it's supposed to be 10 trucks they were now going to park them on Kenny Place. So that is why that never got paved or used as parking. If there's a parking problem that they're overparked in the front then I don't see why we can't talk to them and tell them to go back to the Board and pave that area for residential vehicles for their employees. They shouldn't be parking on the street on your street. We all agree with that so there is an option there. Smells they've manufactured there from day one. They've put exhaust fans through the wall on the side that faces Steinway. We went to them, they've eliminated it. You can even see where they blocked the wall and they vented up and over 10 feet and vented it out through the roof. I can attest to that they got permits for it I inspected it. What they're doing out the back door I have no idea. I don't know what that is. When they originally got their approval they have to give an application to Passaic Valley Water Commission that was given. Have they grown I don't know maybe we'll send Passaic Valley back there since you're saying there's a problem there and again going back to what the Mayor said if we don't know about it there's nothing that we can do. So I didn't know that they were having a problem or you were having a problem with stuff out the back door no one's complained

to me. If you have pictures of it send it to me through my email and I will contact Passaic Valley and send them there. If there's something wrong they have no dog in that fight they'll address it and whatever they say needs to be done obviously we'll back them up with that as well. Is there anything else you're looking for me to talk about?

Mr. Schettino – The resident mentioned the noise complaint but that's really for the police.

Mr. Ambrogio – The police enforce the noise and you're correct there's not supposed to be loading and unloading during those off hours which they say that they don't do and again I don't know that they're doing it or not and that's why you need to make a formal complaint with the police because they'll send someone there and then they'll do a police report and then we'll have a log and we'll be able to say oh yeah we went there on this day and that day at these hours and they were doing something that they're not supposed to do. Then we can go and talk to Chefler Foods and say hey listen we're talking five times doing this you need to do something.

Mr. Schettino – I don't know if you were referring to the old noise ordinance but we did adopt that the Governing Body aware of not only your section of Town but complaints they receive regarding noise and the prior ordinance made it difficult to enforce because you had to get a decibel reading which means you have to bring an expert in and by the time all that would happen the noise wouldn't be there. So we changed the ordinance at the instruction of the Governing Body to make it easier to enforce where a police officer of course they have to be alerted to when the noise is occurring and the police officer just has to go to the property if he can hear it at a certain distance it's a violation of the ordinance. So as the Mayor stated and as Mr. Ambrogio stated when the noise is happening you must notify the Police Department and hopefully they have somebody available to go to the site and see if it's a violation and then they can issue a summons for the noise violation.

Mr. Ambrogio – I just remembered you asked if they're subletting office space. To my knowledge they're not. We can certainly go check because again no one's ever complained about that specifically however I've been there numerous times last year and when I went up there it was only Chefler Foods. So if they're doing something different I can certainly go there and check and see if they're subletting. I don't think they are but we can check into that.

Mr. Schettino – If they're subletting it may not even impact the zoning requirement. The zoning ordinance requires it for square footage not by the number of employees.

Mr. Ambrogio – No because we also have a separate thing about subletting so if you sublet you need to go to the Planning Board. You're only allowed to use the space if you decide that you want to sublet then you need permission from the Planning Board. We can say no.

Mr. Schettino – My point is this if you're parking requirement.

Mr. Ambrogio – It wouldn't help the parking because the parking is deficient to begin with and the office space that's there is already there and that's not going to shrink either.

Council President Cimiluca – It could also be two different uses which would require a different variance.

Mr. Ambrogio – It could be two different uses and that's why they would need to go to the Planning Board so we can figure out make sur that it's an office to office or whatever. There's some things that we can do now that we have this knowledge that there's a problem so those are the things on my end that I can try to look into.

Council President Cimiluca – Mr. Ambrogio would it be Ms. Kapner the Planning Board secretary and Building department secretary or would it be Mr. Barrale that would have any resolution of approval with the most recent couple of appearances that they had and that would indicate how many are required. We know a lot of times there are X amount of spaces that are required and only a certain amount are provided which is usually less. It's rare that you're required to have a hundred and they have a hundred and fifty it's usually the opposite but if that was in place before and it wasn't an expansion of a nonconforming use like he said it's grandfathered in.

Mr. Schettino – What you just said it was an expansion.

Council President Cimiluca – If it was an expansion.

Mr. Schettino – Then they have to increase the parking. If the business let's say the business that was there required a variance for 60 parking spaces or it preexisted the parking ordinance that carries through unless there's an expansion of the use. Then if there's an expansion of the use they may have to provide additional parking it depends on what that expansion was. So they are grandfathered in for their deficiency but if they change the use and that new use requires more parking then they have to provide additional parking. It's an expansion of a nonconforming use.

Mr. Ambrogio – Correct. So how it started initially it was just a continuance of a nonconforming use and have they grown they've grown. We know that they've grown because they have that place on Kenny they have the place on Lyster and they went to actually Elmwood Park which you're already aware of and the last place they went was Kenny Place. So they have two places in Saddle Brook.

Mayor White – Through the Chair I wanted to ask Mr. Ambrogio. There was an issue with their fire alarm I know our Fire Marshall Mr. Seitz had issued a summons because their alarm kept going off but I believe that was corrected.

Mr. Ambrogio – Yeah and he had done that through Fire Prevention which has nothing to do with my department.

Council President Cimiluca – I have some information on that Mayor.

Councilman Accomando – Through the Chair. The trailer that he was talking about on the side of the building is that permitted or not permitted?

Council President Cimiluca – That's been there for quite a while and I did make an issue of it and I think Mr. Seitz might have said it wasn't really an issue even though it was designated as a fire zone so I'm not sure. We might have to contact Mr. Seitz about that because if it is a designated fire zone no one should be parking there.

Mr. Ambrogio – Is it striped as a fire zone do you know? Sometimes they stripe areas and say fire zone and it's not really a fire zone because they don't anybody parking there.

Council President Cimiluca – We'll check on that.

Mr. Ambrogio – I'm pretty sure the Mayor you said that you had Mr. Seitz go there and he said that there was no violations of fire zone.

Mr. Schettino – Well did he say that because there was no trailer parked there at the time

Mr. Ambrogio – I don't know.

Mr. Schettino – That we have to clarify.

Mr. Ambrogio – We'll have to talk to Mr. Seitz about it.

Council President Cimiluca – Mr. Homsy do you know anything about it?

Mr. Homsy – That was not brought up because I'm not a hundred percent sure about it.

Mayor White – Can you explain about the alarm?

Mr. Ambrogio – Like I said the alarm was through Fire Prevention so it doesn't come through my department. I'm really not familiar with the fire alarm but I'm familiar with the ventilation because we did have a problem with that. They were venting it out through the wall so we made them go up through the roof and then 10 feet over from the roof line.

Council President Cimiluca – Sort of like with cannabis there was a lot of fear with the cannabis companies that came in. We only have one active right now that it was going to be a big odor issue.

Mr. Ambrogio – Yeah they're carbon filters. They have filters so maybe we could talk to them about putting them on there. It's a ducted exhaust system so there's a place to put filters in and I'm sure if we tell them that's something we'd like them to do I don't see why they wouldn't especially if there's smells. I've not smelled it so I'm not familiar with it but I know they were complaining because they saw smoke coming out through the wall and that's how it evolved from there.

Mayor White – Are they cooperative?

Mr. Ambrogio – He can be difficult Michael Kurland I don't know if he's the CEO I think he is but in general he cooperates like those violations they immediately moved it changed it. We had trouble with him initially with the parking of the trailers when he had too many

and Steve Pellino really came in and helped us out with that. He had Sarlo representing him I think that was before they had Kenny Place because they were in a bind. They had those trailers and they didn't want to remove them and were telling him he can't have them there. So I guess that would have affected their business operation so we had a lot of pushback there but in the end they ended up coming to the Board and they were willing to pave that area in the back for those trailers put 10 there. I mean the fact that they were going to do it then I think we could say to them listen I mean he has to know there's a parking problem. Although he may not know because if the police haven't gone there and ticketed his employees then they wouldn't even know. I'm sure the employees would complain to him and say hey we're getting ticketed here you gotta do something for us.

Council President Cimiluca – It seems reasonable that if they were willing to pave it for their tractor trailers and basically for their business use but now they don't need it for trailers that to help out the residents and I do think he's been cooperative for the most part. It took a little pushing to begin with.

Mr. Ambrogio – Correct.

Council President Cimiluca – I think he's been more cooperative now then he was initially. Maybe they could do that and get their people in the back and for every space in the back that's one less possible space that'll take up on Lyster at a certain time. Do you know the parking prohibitions on Lyster right now?

Mr. Ambrogio – What do you mean?

Council President Cimiluca – All the signs the 15 signs.

Mr. Ambrogio – I wasn't involved with that.

Council President Cimiluca – I'll talk to Mr. Wille later but I know it's a certain period of time and I think what happens is there's a mass migration because the time period is over. We said in the beginning once we put up those signs it's going to also affect the people in that area. Anybody else have Mayor do you have anything else to say?

Mayor White – Just please check on that parking in the back and get back to me.

Mr. Ambrogio – I'll talk to Mr. Kurland I don't think that approval Mr. Schettino would that still be good he'd probably have to go back right.

Mr. Schettino – An approval runs with the land unless was it for a site plan?

Mr. Ambrogio – Yeah.

Mr. Schettino – No the site plan expires unless you request an extension. You're allowed to get three one year extensions.

Mr. Ambrogio – Which they did.

Mr. Schettino – Oh so then they have to start over. If he's going to apply to pave it to just provide additional parking spaces I mean it's just a question of the drainage and complying with whatever ordinance.

Mr. Ambrogio – I'm just saying as a formality he'd have to notify all the residents and go through the whole process again.

Mr. Schettino – Yes he'd have to go back to the Planning Board.

Mr. Ambrogio – I'll talk to him about that and I'll talk to him well send me those pictures of them going out the back door and then I'll notify Passaic Valley Sewer and Water Commission and send them over there let them check it out.

Council President Cimiluca – Will you talk to Mr. Seitz about that trailer on the side?

Mr. Ambrogio – Yes. I'll coordinate with Mr. Homsy and talk to Mr. Seitz and have him go out there.

Council President Cimiluca – Just to follow up on the list we have Lieutenant Buchek and Captain Califano here from the Saddle Brook Police Department. Can you come up and address some police related issues that were found or not found on Lyster and what are the police doing to try and help the residents out there.

Captain Califano – I did a check on all of our reports from January 1, 2025 to the present time. There's only been about 29 calls for service in that area and seven or eight of them were for alarms but it had to do with those system issues in May and June that seems to be corrected because we haven't had any fire alarms. We had one in January of this year but it was set off in error. Most of the other calls really deal with more on Lyster just burglar alarms or maybe four thefts a couple of motor vehicle burglaries six or seven ambulance calls. The local ordinance that I spoke to you on during the week we've been going by every day giving warnings. So far there's been four violations for residents and four for non-residents but we gave them warnings and we'll continue to do that. We haven't had any noise reports, no odor reports, no tractor trailer reports and no fire code violation reports. Again as the Mayor said please call us we'll come out we'll document we'll have their calls.

Council President Cimiluca – Those 8 parking tickets four residents four non-residents was that recent after you were probably contacted by the Mayor. Mr. Jencio had sent an email which we all got. It went to the Mayor but he distributed it. Was it after that email that the Mayor contacted you or that's been the whole year?

Captain Califano – No it was after. We hadn't been enforcing in there but I think there was some miscommunication that they thought the local ordinance was suspended but it was not. Since that call we've been going there every day to monitor it.

Council President Cimiluca – So you are aware that it's never been rescinded or modified or anything like that by this Council. This Council passed the ordinance to help the people

on Lyster and it's being enforced going forward. Anybody else have any questions or anything to address to the officers?

Lieutenant Bucek – I just wanted to add in regards to noise specifically when you do call for noise we will come out the officers are going to use their discretion though to assess the situation. You calling for noise does not mean that they are immediately going to issue a summons so I just want to make sure that's understood. Your phone call does not mean it's an immediate complaint however once it becomes known that there's an issue we have a few occurrences and you also have the option to sign as resident your own complaint for the noise ordinance as well which if you contact the Police Department we'd be more than happy to help you long with that process if it gets to that point but we definitely would ask for the patience to be able to take care of it on our end. So as we're going through this we definitely encourage you to contact the police desk make sure that we're making the formal reports of it and we can start working to try and take these enforcement actions.

Council President Cimiluca – Hypothetically if there was a civilian complaint and somebody went out there and found it was a justified complaint a verbal complaint as opposed to a legal complaint so somebody gets a verbal complain doesn't mean it's going to automatically generate a legal complaint for the court system but hypothetically would you at some point make contact with the property owner or manufacturer to see what's going on?

Lieutenant Buchek – Absolutely so that is when you make these complaints if we find that there's an area where there's an issue part of what support services does do is we do go to local businesses if there is a problem. We had to speak to a business regarding another matter during the snowfall. That is something that we do so if we see that these complaints become regular and action needs to be taken we first try to work with the businesses work with the residents the goal is not to immediately start issuing summonses but we do want to try and work with everyone to reach a solution that makes sense. So once we see these occurrences come up we would end up speaking to the business owners and try to resolve it that way. Then eventually we could end up with enforcement.

Council President Cimiluca – Thank you anyone else?

Councilman Accomando – I just what Mr. Wille said parking permits I'm all for it. I love the idea of parking permits not just on Lyster on any street. If they're having issues with businesses or non-residents I think the permit is definitely the way to go. Painting the driveway entrance I think it's twenty four inches I could be wrong but I think that's another great idea. The other thing is thank you for coming here and bringing it to our attention because like the Mayor said if you don't bring it to our attention we don't know. We will help you we all live here we don't want to deal with the nonsense or BS from anybody. I'm not saying BS from you like businesses. So if our residents are being bothered we're here for the residents I'm not here for every business in Town I'm here for the residents. If a business is giving us a problem by all means I will give back to that business what needs to be done to make the residents happy. Thank you for bringing it to our attention.

Councilman Gierak – I think the resident parking stickers are a good idea. Mr. Wille you were here before you were talking about the parking situation in the past. We enacted an ordinance to try to remedy that evidently it didn't work because it affects the residents that live there with the parking with the time that's allowed. I think we need to be a little bit proactive. I like the idea of the stickers I think we should explore what we need to do to enact that. I don't know if we're there yet I would like to talk to the Police Department to see what they think but what we did I don't know if it really helped right it hurt the residents there in a way. We kept people from parking there that worked at Chefler however it kept our own residents from being able to park in front of their own homes. It wasn't completely foolproof so we need to find a way that we can help residents there. I appreciate you gentlemen coming and speaking in front of the Council. Please reach out if you have any complaints. Don't be afraid to call the Police Department and let them know. Thank you.

Council President Cimiluca – We always try and help the residents and I think that we've done some things and maybe it's not enough. We did start with the signs and there's a whole bunch of signs it's like sign city over there. As the Mayor said put that pole in the middle, Mr. Wille and I are friends I get videos from him but I used to get a lot more. I'd get videos from him of every tractor trailer that was going down Lyster I got a video of it and some of these guys just for whatever reason there's a pole there that they got a tractor trailer on it the tractor trailers bigger than the pole so they just ran it over. So it's ridiculous how stupid some people are. We stopped going down Lyster and did some maneuvering and had them go down that made up street I don't even know what it's called. It's like a made up alley way it's got a name I don't know what it is but now they have to do that. Put up signs no parking a lot of signs. My opinion I've addressed this I stated it at Council meetings. This is what happens with signs a lot of you know I'm a prosecutor in Hoboken doing prosecutor stuff for about 30 years now. I get probably 100 parking disputes a week. Now they issue about 1000 tickets a week Hoboken is just crazy they've got 50 people out there just giving tickets but they dispute it on line and then they come to court every day and you can't believe how many people will park in the middle of the block now a block is what two three hundred feet whatever it is and they come to court and have a trial and they take a picture of like here's the car and there's no sign directly in front of their car so even though it might have been 50 feet beyond or 50 feet in back they don't think that it's good enough because how am I supposed to know I can't park here there's no sign right in front of my car. So that's I think the reason that they did that. No one other than Mr. Wille has mentioned the number of signs but I said it a while ago two years ago you can probably take some of those signs out and on the remaining signs put something on the bottom that says this applies to the entirety of the block. You can probably take down half of the signs and do it that way. In terms of the fire now I was very concerned when we got that email about the fire alarm so I contacted our Fire Chief and I asked about it because obviously that's concerning. In 2024 there were four fire calls to Chefler Foods. That was for all of 2024. In 2025 there were seven and of those seven the first one was on May 28th then June 17th, June 21st, June 22nd twice, June 23rd. So of the seven fire calls five were in the same week and it was due to an issue with their fire alarm. They had a problem they got rid of that fire safety company and got a new one and apparently it worked because there was not another fire call there until December six months later. In 2026 this year there's been one call. So anytime you have a fire engine going past your house at three in the morning it's not fun it's loud it's obnoxious but most of their complaints most of the fire calls were not due to anything that would endanger the

public. Most of them were fire alarm calls false alarms due to their faulty system. One of them somebody backed into the one of their tractor trailers backed into the fire alarm system and blew it up. One of them was a motor burned up none of them there were no fires so to speak as far as I can see. They were mostly alarm things but again I can understand if you live there one is too many but I did check into that. That really concerned me about that. The police have been there somebody said something about fights are you breaking up fights there are there fights in the parking lot or in Chefler Foods?

Captain Califano – There was just one assault in 2025.

Council President Cimiluca – Okay. So I say this a thousand times up here it's all about enforcement. So the police were there as soon as I got this under the recommendation to the Mayor here jointly that we go there and make sure that things are working out so have a rotation of officers going down there making sure that things are normal. That there's no obvious violations. We can talk about amending the ordinance. The State statute says you can't park in front of the driveway. As far as I know there's no State statute that says how far you have to be from the driveway but just like I said when everyone wanted the signs there I said be careful what you wish for because if you have two or three feet from the driveway and then the neighbor's driveway and you wanted to park two cars there you're not going to be able to. I don't know different blocks have different side properties. I've been on Lyster a lot but I haven't taken any measurements to see. I know my wife happens to park her car directly in the middle of the driveway so this way nobody can park anyplace else which bothers me because somebody who wants to come visit me they can't because she's somehow clogging up the entire parking over there. We have to look into that it's something we can certainly look into. We're here to try and alleviate any kind of problems that you guys are having.

Mr. Homsy – Through the Chair I can just add one piece with the fire alarm system. I don't know what time period it was but they've already issued a summons too.

Council President Cimiluca – Yes they were issued a summons because it just went on too much. Then they got rid of the fire company and since they've gotten the new company there hasn't really been any problems. There was two calls for fire service after they changed the services. With that we have our attorney for our Fair Share Affordable Housing. Just so everyone here is aware there's affordable housing requirements that we have. We've got a certain time period within which to act that's why this is actually a special meeting. This is also a work session coming up afterwards our regular meeting is going to be in two weeks but we have to get things done pursuant to a court order in a certain time period.

Nick Wall of the Weiner Law Group the Affordable Housing attorney steps up to the microphone. I just want to give you a little bit of an overview of the affordable housing process to date and then I'll get into a little bit more of the specifics here. To start the Township has filed its Housing Element and Fair Share Plan filed it on June 18, 2025. Because the Township is fully developed the Township Planner conducted what is known as a Vacant Land Analysis and found that the realistic development potential of the Township is zero. This would mean that the full 279 unit obligation would then be considered the unmet need. Fair Share Housing Center and 580 North Midland, LLC filed

challenges to the Township's plan and thereafter the court ordered some mandated mediation conferences and that occurred over the course of three months. The parties reached a settlement agreement at the end of those mediation conferences and there are several items on your agenda tonight that are required for the Township to take action on in order to comply with the settlement agreement. The first item is an ordinance to create three new overlay housing zones. An overlay zone allows an additional use on a property in addition to the currently zoned use. The first property is 580 North Midland Avenue which is owned by the objector. This property is being overlaid with two different uses a supportive housing use and an age restricted use. The objector initially wanted 30 unrestricted apartments on the site. The Township was very opposed to this impact that would have on the surrounding neighbors. As such we were only willing to discuss structures that could meet most of the zoning standards in the existing single family zone. You will note though that for both uses the bulk standard are almost the same as what is currently required. For the age restricted use there is a slight increase in the lot coverage in order to meet the parking requirements. Truthfully, the Township pushed really hard for this use as there is a desire to provide housing for 55 plus age restriction. Which is something the Council strongly feels is lacking. That development would allow for 12 one bedroom units. The supportive housing zoning is for independent living not group homes. So that will consist of 10 one bedroom units. Ultimately the developer will decide which development it wants but because this is an overlay the current single family use is also allowed to continue. The third overlay remember that two overlays are for the same property is proposed expansion of the Saddle Brook Grande development. The overlay would allow the adjacent block to be developed with multi-family apartments. These overlays are meant to meet the requirements to zone for 25% of the unmet need. Which is a new requirement required by the Amended Fair Housing Act. The second ordinance here on for second reading tonight is to increase the set asides on existing overlay zones that were created in the third round. Simply put the set aside would now be 20% regardless of whether it is sales or rentals which is different than what it was. The last two ordinances are both more housekeeping items. Along with the Amended Fair Housing Act the legislature required updates to regulations these two ordinances will ensure that the Township has updated rules and regulations in its affordable housing related ordinances. There are also a few other housekeeping resolutions. The resolution to adopt the Affirmative Marketing Plan is needed to ensure that the plan is updated to the new regulations as well. There's also a resolution to endorse the amended housing element fair share plan. So the Planning Board had to amend the plan and adopt it in June in order to comply with the changes from the settlement. The spending plan also must be adopted. This plan is a ten year plan that projects the amount of money to be received through development fees and then also projects how it will be spent. Development fees are statutory amounts that are collected on developments that do not include affordable housing. So the development fee ordinance procedures are part of the ordinance being updated. Do you have any questions?

Council President Cimiluca – Originally the fair share came up with some high number like high two hundreds and there was an agreement to what was the ultimate amount.

Mr. Wall – The RDP which is the Realistic Development Potential was knocked down to 17 I believe after the vacant land adjustment.

Council President Cimiluca – I think it was two ninety something.

Mr. Wall – It was 279.

Council President Cimiluca – And now it's down to what?

Mr. Wall – Seventeen.

Council President Cimiluca – So we had a concerned citizen who said how are we going to get 279 affordable units where are we going to put them but we've agreed on 17 as opposed to 279.

Mr. Wall – Correct and that was after many court involved mediations settlements with Fair Share Housing Center the objector and again it's 580 Midland I believe. So they were involved the court had us come together and they actually had us consider the 580 North Midland objection. So that's how we came down to this number because Saddle Brook is developed. There's a lot going on here.

Council President Cimiluca – When you brought it back from 279 to 17 are we required to get the 17?

Mr. Wall – That's a great question that I don't know the answer to off the top of my head. I'd have to look into it again but I don't think that there's no requirement for it to be.

Council President Cimiluca – Fulfilled.

Mr. Wall – Fulfilled right.

Council President Cimiluca – I mean if no one comes in and builds.

Mayor White – We just have to show that we're trying to get to the 17.

Mr. Schettino – I think what do they check after five years to see the progress you're making?

Mr. Wall – Uh huh.

Mr. Schettino – Then you have to show that you made the effort. You have to demonstrate it.

Mr. Wall – Yep.

Mr. Schettino – To your point there's no vacant land so any developer has to basically purchase existing properties which is very costly and sometimes doesn't make it financially feasible for the developer to move forward.

Mr. Wall – Correct.

Mr. Schettino – But that’s their problem not the Town’s.

Council President Cimiluca – I’m going to ask if you can stick around for the rest of the meeting just because there’s going to be public comments. There could be second readings on all of these so that affords everyone to comment if they wish on these second reading ordinances. If there’s any questions that they may have if you could help us out to answer them.

ORDINANCES

1. ORDINANCE # 1796-26 SECOND READING

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 206 “ZONING”, ARTICLE VH “AFFORDABLE HOUSING OVERLAY DISTRICTS” TO ESTABLISH THREE NEW OVERLAY HOUSING ZONES AND MODIFYING THE ZONING MAP TO REFLECT THE NEW AFFORDABLE HOUSING ZONES

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

Motion: Councilman Gierek

Second: Councilwoman Sanchez

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 206 “ZONING”, ARTICLE VH “AFFORDABLE HOUSING OVERLAY DISTRICTS” TO ESTABLISH THREE NEW OVERLAY HOUSING ZONES AND MODIFYING THE ZONING MAP TO REFLECT THE NEW AFFORDABLE HOUSING ZONES

Council President Cimiluca – A motion is in order that the Public Hearing on this ordinance be opened.

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

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

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

Ken Sullivan of 620 North Midland Avenue comes forward. On this property is this all residential that whole area?

Mr. Wall – I believe so yes. Which property?

Mr. Sullivan – 580.

Mr. Wall – I think yes.

Mr. Sullivan – There's a house on it now.

Mr. Wall – Correct.

Mr. Sullivan – So they're going to tear down this house and build the units.

Mr. Schettino – If I can just jump in. No nobody knows what he's going to do at this point. He hasn't submitted any type of application. What he can do is build what was outlined if he chooses to file an application. As of now there is nothing that is being presented by any developer for any part of Town to build any affordable housing.

Mr. Sullivan – So my question is since it's a residential area and there's a house on it I don't see how you could do that because it's all residential. If you would approve that I'm not saying you're going to.

Mr. Schettino – I don't understand your question you mean it is residential what he's putting there.

Mr. Sullivan – Have you seen the property?

Mr. Schettino – No but you're saying how can you put a residential in a residential zone but that's all you can do with affordable housing is to put residential uses in. So it will be a residential use and yes any place in this Town is going to require a developer to knock down a home which means he's going to have to spend a lot of money because he has to pay someone who owns the property the fair market value with the structure on it and then if he chooses to knock it down he has that right just like anybody does even if it wasn't affordable housing. Anybody can come into a town and say I know that's a beautiful

home but I want to knock it down and build a different home. You can't stop somebody from doing that.

Mr. Sullivan – You got to allow for parking and all that who does that go to the Zoning Board?

Mr. Schettino – Depending on what he would need again there's no application. If he puts in a project that requires a parking variance then he would have to go to the board the Planning Board more than likely because it's going to be a permitted use he would have to go to the Planning Board to get a variance if he does not meet the ordinance restrictions just like any person would have to do. The only thing that he's required to do is put in depending on the overlay zone put in 20% affordable housing for every unit five and above. So every unit five and above he has to put in 20% of it has to be affordable housing. By the way that's correct me throughout the State.

Mr. Wall – Yeah.

Mr. Schettino – Every municipality in the State of New Jersey is faced with the same State requirements different obligations in terms of the number of units but the same State requirements and those communities especially in Bergen County that have limited vacant land every municipality on there they're all doing exactly what's being done here which is creating overlay zones for someone who is going to build affordable housing on a piece of property.

Mr. Sullivan – Are we close to meeting our goal of affordable housing then are you going to put it somewhere else in Town too.

Mr. Wall – That's of course a tricky question to answer but this is a very good outcome here with the vacant land. We're looking at the number of 279 down to a number of 17 I think that's a very realistic number. I don't know if that helps answer your question.

Mr. Sullivan – So if we have 17 more units that should be our goal?

Mr. Wall – For the set aside for affordable housing yes 17 units.

Council President Cimiluca – That's 17 affordable not 17 in total.

Mr. Sullivan – That's going to be fifty five and above?

Mr. Schettino – That's on that one site. One site the overlay zone is for 12 units for 55 and older or 10 for those who are disabled.

Council President Cimiluca – Just so you're aware conception again it's all hypothetical because the person who owns the property may never develop it. I think it's vacant the house.

Mr. Sullivan – There's people there. That's been there for like the last three years.

Council President Cimiluca – If the developer decides to do anything conceptually my understanding is it's a big piece of property. I think it's a hundred by two hundred maybe something like that. So the side yard setback, the front yard setback, the rear yard setback would not require any or if they do minimal variances. Somebody could buy that property and put up a house that is 80 feet wide and 150 feet deep. I don't know who would do that but somebody could and they wouldn't need any kind of variances or anything like that. This if anything would be similar to someone just putting up a big house except it's going to be different apartments a 12 bedroom house. Again conceptually because we don't know what's going to happen.

Mr. Sullivan – Alright thank you.

Jerry Taylor of 318 Schepis Avenue comes forward. In the beginning you stated that this was a settlement. We've been talking about Mt. Laurel as long as I can remember. So we're going back to the sixties even when Mayor D'Arminio was here. That was a big thing because they were talking about the Azco Steel being low income. So because of the settlement Saddle Brook now I understand the numbers 279 to 17 so Saddle Brook now has to change the zoning to accommodate because we don't have any vacant land.

Mr. Schettino – We have to create overlay zones. The existing zoning is still in place if someone is going to build a home that doesn't include affordable housing. If they're going to include affordable housing then again the overlay zone is what is controlling it.

Mr. Taylor – Then again this 580 Midland so the person who bought 580 Midland now has that change in the zone so he's pressuring the Town with the settlement to change the overlay because I want to put in 12 units or 10 units either or. Twelve units 55 over why can't what we put in across from the old Post Office grandfather in for the 17 units that we need to build?

Mayor White – We already get credit for that. That was in the previous round.

Mr. Taylor – Okay.

Council President Cimiluca – We're up to a fourth round already.

Mr. Taylor – Oh alright and I live right across the street from that I can see the house through the two houses. That 580 Midland floods in the front. You have a storm like this it's going to be flooded. When the brook floods that property floods all in the front. So now gentleman A comes in front and says listen I got this property it's 100 by 200 I want to put 12 units of 55 and over he now has to go through site plans and everything else and go through the Planning Board to get it okayed correct?

Council President Cimiluca – Correct yes.

Mr. Taylor – So if it floods and he wants to develop that property the Board can deny him because where is the water going to go.

Mr. Schettino – He has to present the site plan requirements in this Town of every town requirement to present a drainage plan and that drainage plan has to show that the concern that you're raising is addressed in that drainage plan. That drainage plan will be reviewed by the Township's Engineer so it's not just their engineer saying this is the plan. The Township Engineer will review it and if he can't come up with a plan that addresses it you're a hundred percent correct. The Planning Board can deny the application because of a deficient drainage plan for the site.

Council President Cimiluca – Sometimes when somebody develops something everyone thinks they're going to develop it and make a bad problem worse but sometimes they make the bad problem better. When I was the attorney for the Zoning Board in Lodi they wanted to put up right near the Wawa there they wanted to put up the self-storage thing and in doing that self-storage the concerns were flooding to other properties not to that property but other properties and as part of their requirements they had to do a lot of drainage to help other streets and it did it worked. What they did by redirecting the water flow and putting in pits and things like that they actually helped the situation on the surrounding properties. The Board is going to be required and obligated to make sure it works.

Mr. Taylor – Well I'm still saying this gentleman who owns the property whoever this builder is he owns the property already it's being rented out for three years now. So now he says because of the settlement I want to go and develop this property it's residential. So if that's the case why are we changing that property with the overlays? Why can't the overlays be 500 Midland versus 580?

Council President Cimiluca – That's part of the settlement.

Mr. Schettino – Right.

Council President Cimiluca – Because he was an objector.

Mayor White – He's the one who filed the objection.

Mr. Schettino – This is part of that settlement.

Mayor White – He originally wanted 30.

Mr. Schettino – It's going to be the same thing like over at the old Townhall. I could have a three, four, five story building sitting there. So the goal of affordable housing the legislation and the courts is to get it built. They don't just want to throw these numbers out and say whatever happens, happens. So when you have a developer who in this case gets involved in the litigation and says I have a site and I'm willing to develop it and I'm willing to develop it for affordable housing the courts give a tremendous amount of leeway to that developer. So the Town faced with a situation where they know the courts are going to be very amenable to a developer who says I have the land and I'm ready to go didn't want to run the risk of him getting 30 units which was the potential if he continued with the litigation that the judge was going to award him 30 units they decided to fight it and get it down to what it was. So you run a very strong risk of getting much more density

when you have a developer who already owns the land and is ready to put affordable housing in then you would with trying to resolve it and getting a settlement which is what was done here by the attorney for this who did a very good job. Again as the Mayor mentioned got the 30 units down to either 12 for 55 and over which is a need in this community or 10 for the disabled which is a need throughout the State actually.

Mr. Taylor – The way I look at it is you're opening a Pandora's Box because now alright you got 12 units 55 and over we still owe 5 more units so another developer come in there buy another lot and go for variances. It could be a piece of property in Town that nobody wants to go near Lyster Ave like they just talked about wants to sell it and this guy wants to develop another 5 units.

Mr. Schettino – Again if he's in the overlay zone he may depending upon the size of the property. If he's not in an overlay zone he has to comply with the existing ordinance and if he doesn't comply to the existing ordinance he has to go to the Board and get approval. If he doesn't get approval his application is denied and he won't be able to build it.

Mr. Taylor – My question is, is there going to be notification through you have all the neighboring properties?

Mr. Schettino – Any application that goes before the Planning Board requires notification to all the residents within 200 feet and a publication well actually now they changed the law but it will be posted on our website.

Mr. Taylor – Then they'll hold an open hearing.

Mr. Schettino – Open hearing residents will have an opportunity to speak and you'll hear all the testimony and participate.

Mr. Taylor – Let's be honest he's not going to lose money.

Mr. Schettino – Well no developer who builds will lose money either that or they have to file for bankruptcy.

Mr. Wall – I just want to jump in here too to say that the settlement I through around the word settlement. That's kind of just the process that we have that was set up by the Amended Fair Housing Act. So they took away COAH and they did all of this shifting around and then put everything back into the courts and that's why everything was in front of these judges and special masters and things like that so legalize for settlement agreement it really is even him coming and the Township has a lot of say here so that's why they were able to push back on it.

Mr. Taylor – What happens if the Town doesn't meet the requirement for 17?

Mr. Schettino – After five years we have to demonstrate to the court that we pretty much did everything we could to meet it and then who knows.

Mr. Wall – This is step one.

Council President (after all persons have had an opportunity to be heard) states motion is in order that the hearing on this ordinance be closed.

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

Township Clerk then reads the resolution as follows:

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

CR# 0326-50

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 206 “ZONING”, ARTICLE VH “AFFORDABLE HOUSING OVERLAY DISTRICTS” TO ESTABLISH THREE NEW OVERLAY HOUSING ZONES AND MODIFYING THE ZONING MAP TO REFLECT THE NEW AFFORDABLE HOUSING ZONES

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

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

2. ORDINANCE # 1797-26 SECOND READING

AN ORDINANCE AMENDING THE AFFORDABLE HOUSING SET-ASIDE OF THE AHOZ-1, AHOZ-2, AHOZ-3 and AHOZ-4 OVERLAY ZONES

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

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

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

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

AN ORDINANCE AMENDING THE AFFORDABLE HOUSING SET-ASIDE OF THE AHOZ-1, AHOZ-2, AHOZ-3 and AHOZ-4 OVERLAY ZONES

Council President Cimiluca – A motion is in order that the Public Hearing on this ordinance be opened.

Motion: Councilman Gierak

Second: Councilman Accomando

Roll Call:

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

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

Council President (after all persons have had an opportunity to be heard) states motion is in order that the hearing on this ordinance be closed.

Motion: Councilman Gierak

Second: Councilwoman Sanchez

Roll Call:

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

Township Clerk then reads the resolution as follows:

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

CR# 0326-51

AN ORDINANCE AMENDING THE AFFORDABLE HOUSING SET-ASIDE OF THE AHOZ-1, AHOZ-2, AHOZ-3 and AHOZ-4 OVERLAY ZONES

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

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

3. ORDINANCE # 1798-26 SECOND READING

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK DELETING AND REPLACING ARTICLE II “MUNICIPAL HOUSING LIAISON” AND ARTICLE III “AFFORDABLE HOUSING REQUIREMENTS” OF CHAPTER 48 “AFFORDABLE HOUSING”, TO UPDATE THE TOWNSHIP’S AFFORDABLE HOUSING ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 UNIFORM HOUSING AFFORDABILITY CONTROLS, DECEMBER 2025 N.J.A.C. 5:99 REGULATIONS, AND THE AMENDED FAIR HOUSING ACT

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

Motion: Councilman Accomando

Second: Councilman Gierek

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

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

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK DELETING AND REPLACING ARTICLE II “MUNICIPAL HOUSING LIAISON” AND ARTICLE III “AFFORDABLE HOUSING REQUIREMENTS” OF CHAPTER 48 “AFFORDABLE HOUSING”, TO UPDATE THE TOWNSHIP’S AFFORDABLE HOUSING ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 UNIFORM HOUSING AFFORDABILITY CONTROLS, DECEMBER 2025 N.J.A.C. 5:99 REGULATIONS, AND THE AMENDED FAIR HOUSING ACT

Council President Cimiluca – A motion is in order that the Public Hearing on this ordinance be opened.

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

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

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

Council President (after all persons have had an opportunity to be heard) states motion is in order that the hearing on this ordinance be closed.

Motion: Councilman Gierek

Second: Councilwoman Sanchez

Roll Call:

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

Township Clerk then reads the resolution as follows:

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

CR# 0326-52

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK DELETING AND REPLACING ARTICLE II “MUNICIPAL HOUSING LIAISON” AND ARTICLE III “AFFORDABLE HOUSING REQUIREMENTS” OF CHAPTER 48 “AFFORDABLE HOUSING”, TO UPDATE THE TOWNSHIP’S AFFORDABLE HOUSING ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 UNIFORM HOUSING AFFORDABILITY CONTROLS, DECEMBER 2025 N.J.A.C. 5:99 REGULATIONS, AND THE AMENDED FAIR HOUSING ACT

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

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

4. ORDINANCE # 1799-26 SECOND READING

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK DELETING AND REPLACING ARTICLE I “MANDATORY SET-ASIDE AND DEVELOPMENT FEES” OF CHAPTER 48 “AFFORDABLE HOUSING” TO UPDATE THE TOWNSHIP’S DEVELOPMENT FEE ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 N.J.A.C. 5:99 REGULATIONS AND THE AMENDED FAIR HOUSING ACT

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

Motion: Councilman Accomando

Second: Councilman Gierek

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

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

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK DELETING AND REPLACING ARTICLE I “MANDATORY SET-ASIDE AND DEVELOPMENT FEES” OF CHAPTER 48 “AFFORDABLE HOUSING” TO UPDATE THE TOWNSHIP’S DEVELOPMENT FEE ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 N.J.A.C. 5:99 REGULATIONS AND THE AMENDED FAIR HOUSING ACT

Council President Cimiluca – A motion is in order that the Public Hearing on this ordinance be opened.

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

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

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

Council President (after all persons have had an opportunity to be heard) states motion is in order that the hearing on this ordinance be closed.

Motion: Councilman Gierek

Second: Councilwoman Sanchez

Roll Call:

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

Township Clerk then reads the resolution as follows:

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

CR# 0326-53

AN ORDINANCE OF THE TOWNSHIP OF SADDLE BROOK DELETING AND REPLACING ARTICLE I “MANDATORY SET-ASIDE AND DEVELOPMENT FEES” OF CHAPTER 48 “AFFORDABLE HOUSING” TO UPDATE THE TOWNSHIP’S DEVELOPMENT FEE ORDINANCE IN ACCORDANCE WITH THE DECEMBER 2025 N.J.A.C. 5:99 REGULATIONS AND THE AMENDED FAIR HOUSING ACT

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

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

Council President Cimiluca – On the agenda we have a couple of resolutions related to the Fair Share Housing and also correspondence from the Planning Board attorney which relates to the same.

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.

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

*** RESOLUTIONS**

TOWNSHIP OF SADDLE BROOK

RESOLUTION

RESOLUTION ADOPTING AN “AFFIRMATIVE MARKETING PLAN” FOR TOWNSHIP OF SADDLE BROOK

CR# 326-54

WHEREAS, in accordance with P.L. 2024, Chapter 2 and the New Jersey Uniform Housing Affordability Controls (“UHAC”)(N.J.A.C. 5:80-26.1 *et seq.*), the *Township of Saddle Brook* (“*Township*”) is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created are affirmatively marketed to very low-, low- and moderate-income households, particularly those living and/or working within Housing Region 1, the Housing Region encompassing the Township.

NOW, THEREFORE, BE IT RESOLVED, that Governing Body of the Township of Saddle Brook, County of Bergen, State of New Jersey, does hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, English-speaking ability, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children, source of lawful income, or any other characteristic described in the New Jersey Law Against Discrimination, to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the Housing Region in which the municipality is located and covers the entire period of the deed restriction for each restricted housing unit. The Township of Saddle Brook is located in Housing Region 1, consisting of Bergen, Hudson, Passaic and Sussex Counties.
- B. The Township has a plan to address both its Prior Round Obligation (1987-2025) and its Fourth Round Obligation (2025-2035). This Affirmative Marketing Plan shall apply to all developments that contain or will contain very low-, low- and moderate-income units, including those that are part of the municipality’s Housing Element and Fair Share Plan, and those that may be constructed in future developments not yet anticipated by the Housing Element and Fair Share Plan.
- C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the Township or the Administrative Agent of any specific developer approved by the municipality.

- D. All of the costs of advertising and affirmatively marketing affordable housing units shall be borne by the developers/sellers/owners of affordable unit(s), and all such advertising and affirmative marketing shall be subject to approval and oversight by the designated Administrative Agent.
- E. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days prior to expected occupancy. The implementation of the Affirmative Marketing Plan shall continue until all very low-, low- and moderate-income housing units are initially occupied and for as long as the affordable units remain deed restricted such that qualifying new tenants and/or purchasers continues to be necessary.
- F. The Affirmative Marketing Plan is a continuing program that shall be followed throughout the entire period of affordability restrictions. In implementing the Affirmative Marketing Plan, the Administrative Agent, whether acting on behalf of the Township or on behalf of a specific developer, shall meet the following requirements at a minimum:
1. The primary marketing and advertising must be employed at the start of the marketing program and continue until all units are leased or sold or until the number of applications received is at least three times the number of units. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of all publications to the Administrative Agent. All press releases and advertisements shall be approved in advance by the Administrative Agent.
 2. The advertisements shall, at a minimum, include:
 - a. The name and location of the housing project;
 - b. An address sufficient to find directions to the housing units;
 - c. A range of prices or rents for the affordable housing units;
 - d. The sizes, as measured in number of bedrooms of the affordable housing units;
 - e. The types (that is, family, age-restricted, or supportive) and number of affordable units available;
 - f. The number of units available to very low-, low-, and moderate-income households;
 - g. The accessibility features, if any, of the affordable housing units;
 - h. The maximum income permitted to qualify for the affordable housing units;
 - i. The population(s), if any, given preference in the selection process pursuant to N.J.A.C. 5:80-26.17(k)2;
 - j. Where applications (paper and online) for the affordable housing units may be found;
 - k. The expected lease-up/closing date(s) for the affordable housing units;
 - l. The expected date of the random selection;

- m. The business hours when interested households may obtain paper applications for the affordable housing units;
 - n. Contact information, including an email address and phone number that are regularly monitored by the administrative agent;
 - o. The name of the sales agent and/or rental manager; and
 - p. Application fees, if any.
3. Affirmative fair marketing of affordable units must be completed in accordance with the requirements set forth in UHAC at N.J.A.C. 5:80-26.16 in all media and outlets required by the rules including, but not limited to the New Jersey Herald and the Bergen Record.
 4. Each affordable housing development must complete worksheet substantially in the form of the model affirmative marketing worksheet published by the state.
 5. Affordable units must be listed on the New Jersey Housing Resource Center's website (www.njhrc.gov) in accordance with N.J.A.C. 5:80-26.16(f)1 at least 60 days before the random selection.
 6. Applications, or notices thereof, used as part of the affirmative marketing program must be available in the following locations:

BUILDING	LOCATION
Sussex County Administration Building	1 Spring Street, Newton, NJ 07860 (973)579-0200
Sussex County Main Library	125 Morris Turnpike, Newton, NJ 07860 (973)948-3660
Hudson County Administration Building	595 Newark Avenue, Jersey City, NJ 07306 (201) 795-6000
Passaic County Administration Building	401 Grand Street, Paterson, NJ 07505 (973) 225-3632
Passaic County Library	195 Gregory Avenue, Passaic, NJ 07055 (973) 779-0474
Bergen County Administration Building	One Bergen County Plaza, Hackensack, NJ 07601 (201)336-6000
Bergen County	21-00 Route 208 South, Suite 130, Fair Lawn, NJ 07410 bccls@bccls.org
Saddle Brook Municipal Building	55 Mayhill Street, Saddle Brook, NJ 07663
Saddle Brook Public Library	340 Mayhill Street, Saddle Brook, NJ 07663

7. The affirmative marketing shall include the following community and regional organizations: Fair Share Housing Center; the Latino Action Network; Bergen County NAACP; Urban League of Bergen County; Bergen County Housing Coalition and Supportive Housing Association

8. The municipality's Administrative Agent, or the Administrative Agent of a specific developer, shall comply with all requirements set forth in N.J.S.A. 52:27D-321.3 et seq. with regard to the affirmative marketing of affordable housing units.

G. The municipality's Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) Bergen, Hudson, Passaic, and Sussex

Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers.

- H. The municipality's Administrative Agent shall develop, maintain and update a list of major employers in Bergen, Hudson, Passaic, and Sussex Counties Counties that will aid in the affirmative marketing program.
- I. A random selection method to select occupants of very low-, low- and moderate-income housing will be used by the municipality's Administrative Agent, or the Administrative Agent of any specific developer, in conformance with N.J.A.C. 5:80-26.16(d This Affirmative Marketing Plan provides a regional preference for very low-, low- and moderate-income households that live and/or work in Housing Region 1, which is comprised of Bergen, Hudson, Passaic, and Sussex Counties. Pursuant to the New Jersey Fair Housing Act (C.52:27D-311), a preference for very low-, low- and moderate-income veterans duly qualified under N.J.A.C. 54:4-8.10 may also be exercised, provided an agreement to this effect has been executed between the developer or landlord and the municipality prior to the affirmative marketing of the units.
- J. All developers/owners of very low-, low- and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the municipality's Administrative Agent.

BE IT FURTHER RESOLVED that the appropriate municipal officials and professionals are authorized to take all actions required to implement the terms of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

Motion: Councilman Gierak

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**RESOLUTION ENDORSING THE AMENDED FOURTH ROUND
HOUSING ELEMENT AND FAIR SHARE PLAN**

CR# 326-55

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L.2024, c.2, establishing a new framework for determining and enforcing municipal affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (the "FHA") (N.J.S.A. 52:27D-301, *et al.*); and

WHEREAS, among other things, the Act abolished the Council on Affordable Housing (hereinafter, “COAH”), and replaced it with seven retired, on recall judges designated as the Program and authorized the Director of the Administrative Office of the Courts, (hereinafter, respectively, “Director” and “AOC”) to create a framework to process applications for affordable housing compliance certification; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), each municipality was to adopt a binding resolution no later than January 31, 2025, determining and setting forth its present and prospective fair share obligations for the “Fourth Round” of affordable housing obligations (“Fourth Round”); and

WHEREAS, the Governing Body of the Township of Saddle Brook (“Township”) adopted Resolution No. 25-1-54 on January 29, 2025, identifying its present need obligation as 42 units and prospective need obligation as 279 affordable units for the Fourth Round.

WHEREAS, in accordance with the FHA and Administrative Directive #14-24, issued by the Administrative Office of the Courts on December 13, 2024 (“Directive #14-24”), the Township filed a Complaint for Declaratory Judgment with the Superior Court of New Jersey, Law Division, Bergen County, entitled In the Matter of the Application of the Township of Saddle Brook, County of County, State of New Jersey, Docket No. BER-L-822-25 on January 31, 2025 (the “DJ Action”), identifying its present and prospective fair share obligations for the Fourth Round as set forth above, and committing to adopting and submitting a Fourth Round Housing Element and Fair Share Plan (“HEFSP”) as required by the FHA; and

WHEREAS, no parties challenged the Township’s present and prospective need obligations; and

WHEREAS, on May 16, 2025, the Honorable Gregg A. Padovano, J.S.C., issued an Order setting the Township’s present need obligation at 42 units and the prospective need obligation at 279 affordable units and further authorized the Township to proceed with preparation and adoption of a proposed HEFSP to satisfy the Township’s affordable housing obligation; and

WHEREAS, pursuant to N.J.S.A. 52:27D-304.1(f)(2)(a) and Directive #14-24, each municipality must adopt and file as part of its DJ Action a HEFSP, with associated resolutions and proposed drafts of the appropriate zoning and other ordinances, necessary to implement its HEFSP, no later than June 30, 2025; and

WHEREAS, the Township of Saddle Brook Planning Board (“Board”) adopted, and the Township Council endorsed, the HEFSP entitled “2025 Fourth Round Housing Element & Fair Share Plan” prepared by the Township’s affordable housing planner, Daniel Bloch, PP, AICP of Colliers Engineering & Design, dated June 6, 2025 (the “Fourth Round HEFSP”), as an amendment to the Township’s Master Plan on June 16, 2025; and

WHEREAS, in accordance with the provisions of the Fair Housing Act, the Township filed its HEFSP on June 18, 2025 (“Adopted HEFSP”); and

WHEREAS, Fair Share Housing Center (“FSHC”) filed a challenge pursuant to N.J.S.A. 52:27D-304.1.f.(2)(b) regarding the Township’s Adopted HEFSP on August 29, 2025; and

WHEREAS, 580 North Midland LLC having filed a challenge pursuant to N.J.S.A. 52:27D-304.1(f)(2)(b) regarding the Township’s Adopted HEFSP on August 29, 2025; and

WHEREAS, mediation was held pursuant to the requirements of the Amended Fair Housing Act and the Administrative Office of the Courts directive in October, November and December of 2025 which resulted in a Mediation Agreement fully executed on January 19, 2026 (the “Mediation Agreement”); and

WHEREAS, pursuant to the Mediation Agreement, the Township was required to amend the Adopted HEFSP; and

WHEREAS, on February 18, 2026, upon notice duly provided pursuant to N.J.S.A. 10:4-6 et seq. and N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the proposed Amended Fourth Round Housing Element & Fair Share Plan prepared by Darlene A. Green, P.P., AICP of Colliers Engineering & Design, dated February 6, 2026 (the “Amended HEFSP”); and

WHEREAS, the Governing Body desires to endorse the Amended HEFSP adopted by the Board on February 6, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Saddle Brook, Bergen County as follows:

1. The Governing Body does hereby endorse the Amended Fourth Round Housing Element and Fair Share Plan adopted by the Township of Saddle Brook Planning Board on February 18, 2026.
2. The Governing Body does hereby authorize the filing of this Resolution endorsing the Amended HEFSP adopted by the Board on eCourts for review by the Program.
3. The Mayor and Clerk, together with other appropriate officers and employees of the Township of Saddle Brook, are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

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

**TOWNSHIP OF SADDLE BROOK
RESOLUTION**

**A RESOLUTION OF THE TOWNSHIP OF SADDLE BROOK
ADOPTING FOURTH ROUND AFFORDABLE HOUSING SPENDING PLAN**

CR# 326-56

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2 which amended various provisions of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq. (“Amended FHA”)); and

WHEREAS, the Amended FHA sets forth that the Fourth Round period of affordable housing obligations shall run from July 1, 2025 through June 30, 2035 (“Fourth Round” or “Round Four”); and

WHEREAS, A municipality may not spend or commit to spend any affordable housing development fees, without first obtaining the approval of the expenditure as part of its compliance certification or by the New Jersey Department of Community Affairs (DCA); and

WHEREAS, the Governing Body of the Township of Saddle Brook, County of Bergen, State of New Jersey, adopted a development fee ordinance on December 1, 2008; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and/or any other funds collected for affordable housing purposes; and

WHEREAS, the Township has prepared a 2026 Affordable Housing Trust Fund Spending Plan, dated February 2, 2026; and

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Saddle Brook, Bergen County, New Jersey, that the Township of Saddle Brook hereby adopts the 2026 Affordable Housing Trust Fund Spending Plan for the Township of Saddle Brook, dated February 2, 2026, prepared by Colliers Engineering, which is attached hereto and incorporated herein.

This Resolution shall take effect immediately.

Motion: Councilman Gierek

Second: Councilman Accomando

Roll Call:

Councilman Gierek – yes

Councilman Accomando – yes

Councilwoman Sanchez – yes

Councilwoman Mazzer – absent

Council President Cimiluca – yes

*** CORRESPONDENCE**

**1. A. CIALONE, PLANNING BD. ATTY
TO: MAYOR AND COUNCIL**

**RE: ORDINANCE 1796-26
DATE: FEBRUARY 19, 2026**

Birchwale Pellino and Cialone LLC

Attorneys At Law
151 West Passaic Street
Second Floor - Suite 8
Rochelle Park, New Jersey 07662
Phone: (201) 945-8812
Fax: (551) 282-0891
Email: acialone@bbplawyers.com

Anthony P. Cialone

Stephen F. Pellino (1951-2023)
Albert H. Birchwale (Retired)

February 19, 2026

**BY EMAIL AND
REGULAR MAIL**

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

Re: Review of Ordinance No. 1796-26

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

I write to you in my capacity as the Attorney to the Saddle Brook Planning Board. You have referred to the Planning Board for review and comment the above-listed proposed Ordinance No. 1796-26 of the Township of Saddle Brook. Pursuant to the provisions of *N.J.S.A. 40:55D-26(a)*, this Ordinance was considered at the Planning Board's regular meeting of February 18, 2026. The Planning Board has authorized me to write this letter report to the Mayor and Council.

The Planning Board determines that the proposed Ordinance is consistent with the master plan and effectuates the Township's fair share housing plan. Therefore, the Planning Board recommends the adoption of Ordinance No. 1796-26 without amendment or modification.

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

Respectfully submitted,

Anthony P. Cialone

Anthony P. Cialone

APC:mio

cc: Saddle Brook Planning Board, c/o Jayne Kapner, Board Secretary, By Email
Peter Lo Dico, By Email
John L. Schettino, Esq., By Email
Wendy R. Quiroga, Esq., By Email

C-1

2. A. CIALONE, PLANNING BD. ATTY
TO: MAYOR AND COUNCIL

RE: ORDINANCE 1797-26
DATE: FEBRUARY 19, 2026

Birchwale Pellino and Cialone LLC

Attorneys At Law

151 West Passaic Street
Second Floor - Suite 8
Rochelle Park, New Jersey 07662
Phone: (201) 945-8812
Fax: (551) 282-0891
Email: acialone@bbplawyers.com

Anthony P. Cialone

Stephen F. Pellino (1951-2023)
Albert H. Birchwale (Retired)

February 19, 2026

**BY EMAIL AND
REGULAR MAIL**

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

Re: Review of Ordinance No. 1797-26

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

I write to you in my capacity as the Attorney to the Saddle Brook Planning Board. You have referred to the Planning Board for review and comment the above-listed proposed Ordinance No. 1797-26 of the Township of Saddle Brook. Pursuant to the provisions of *N.J.S.A. 40:55D-26(a)*, this Ordinance was considered at the Planning Board's regular meeting of February 18, 2026. The Planning Board has authorized me to write this letter report to the Mayor and Council.

The Planning Board determines that the proposed Ordinance is consistent with the master plan and effectuates the Township's fair share housing plan. Therefore, the Planning Board recommends the adoption of Ordinance No. 1797-26 without amendment or modification.

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

Respectfully submitted,

Anthony P. Cialone

Anthony P. Cialone

APC:mio

cc: Saddle Brook Planning Board, c/o Jayne Kapner, Board Secretary, By Email
Peter Lo Dico, By Email
John L. Schettino, Esq., By Email
Wendy R. Quiroga, Esq., By Email

C-2

Council President Cimiluca – We have old business and new business but this is a special meeting about this so if anybody has something to say that they haven't said already with regard to the affordable housing which is the subject of this special meeting please do so. Seeing no one I'll entertain a motion to adjourn the meeting.

Motion: Councilman Gierak

Second: Councilwoman Sanchez

Roll Call:

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

Meeting adjourned at 7:07 P.M.

Respectfully submitted,

Peter Lo Dico, RMC, CMC
Township Clerk

Andrew M. Cimiluca
Council President

Approved: April 16, 2026