

CAUCUS/COUNCIL MEETING
September 16, 2020

A REGULAR SCHEDULED CAUCUS/COUNCIL MEETING of the Mayor and Council of the Borough of Carlstadt was held in the Caucus Room and Council Chambers of the Borough Hall, 500 Madison Street, Carlstadt, New Jersey on Wednesday, September 16, 2020 at 7:10 P.M.

Mayor Robert Zimmermann asked Claire Foy, Borough Clerk to call the roll: Council members David Stoltz, James Lenoy, Joseph Emerson, Suzanne Fonseca and Diane DeBiase were present. Councilman William Roseman was absent.

Joseph Crifasi, DPW Operations Manager was also present. Joseph Donahue, Borough Attorney was also present telephonically.

Mayor Zimmermann led all present in the Pledge of Allegiance to the Flag.

Mayor Zimmermann – This meeting has been called pursuant to the Open Public Meetings Law and in accordance with Section 5 of the Open Public Meetings Act, adequate notice of this meeting having been provided in the annual notice schedule which contained the time, date and location of the meeting, copies of which were sent and advertised in the following official newspapers of Carlstadt: The Record on January 6, 2020 and the Herald News on January 6, 2020 a copy of which is on the Bulletin Board in the Borough Hall and a copy on file in the office of the Borough Clerk.

The Mayor and Council recognized the retirement of Mirna Lopez as a Crossing Guard of twenty-eight years. A plaque will be presented to her at the next meeting.

READING OF MINUTES:

Mayor Zimmermann entertained a motion to accept the Open and Closed Session minutes of 9/2/2020 Caucus/Finance Meeting.

On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

CORRESPONDENCE:

Mayor Zimmermann and the Council accepted, with regrets, the resignation letter of Nicholas Rivera from the Borough's Planning Board. The Mayor and Council thanked Mr. Rivera for his time and service on the Planning Board.

On motion by Fonseca, seconded by Lenoy, unanimous on call of roll of those present.

A letter was received from the Boy Scout Troop One of Carlstadt seeking permission to hold Troop meetings on Tuesdays 7:30 P.M. to 9:00 P.M. at the park are on the north side of Carlstadt Public School, weather permitting. This is due to COVID-19 and the continued closure of the gym at the Carlstadt Public School. All social distancing guidelines will be followed.

Mayor Zimmermann entertained a motion to approve the request.

On motion by Emerson, seconded by Lenoy, unanimous on call of roll.

Councilman Emerson noted that they may need to adjust the time of the meetings as it gets darker earlier in the evening and colder weather begins.

CONSENT AGENDA

RESOLUTION NO. 2020-193

BE IT RESOLVED by the Mayor and Council that the proper Borough Officials are hereby authorized and directed to make the following disbursements:

Carlstadt Board of Education \$ 1,046,392.83

Regional Board of Education 580,786.75

RESOLUTION NO. 2020-194

BE IT RESOLVED that the following payments made by the Chief Financial Officer from Valley Bank during the month of August, 2020 be ratified:

<u>Date</u>	<u>Ck#</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
8/21/20	502241	Current	Medical	\$ 15,000.00
8/21/20	502242	Current	Suez Water NJ	866.10
8/21/20	502243	Current	Verizon	199.99
8/25/20	502244	Current	Comcast	626.87
8/25/20	502245	Current	PSE&G	73.01
8/25/20	502246	Current	Payroll	442.76
8/26/20	502247	Current	Payroll	17,991.73
8/26/20	502248	Current	Payroll	328,915.23
8/26/20	502249	Current	PSE&G	17.47
8/27/20	502250	Current	Medical	28,000.00
8/27/20	502251	Current	C. Foy Petty Cash	751.65
8/28/20	502252	Current	Verizon	64.93
8/28/20	502253	Current	Verizon	129.99
8/28/20	502254	Current	MCI Comm.	548.51
8/28/20	502255	Current	Verizon	1,839.19

RESOLUTION NO. 2020-195

WHEREAS, N.J.S.A. 40:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local

Finance Board of the State of New Jersey that all members of the Governing Body have reviewed as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations

and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves, with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provision of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52 – “A local officer or member of a local Governing Body, who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Carlstadt, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION NO. 2020-196

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Borough Council hereby approves the attached Corrective Action Plan for the 2019 Annual Audit; and

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

RESOLUTION NO. 2020-197

WHEREAS, an application and required fees had been timely filed requesting renewal of a pocket license in the name of Anthony Calandra and Luciano Calandra Jr., Plenary Retail Consumption License # 0205-33-011-003 for the 2020-2021 license term; and

WHEREAS, the Tax Clearance Certificate for the 2020-2021 license term has been received by the Borough Clerk from the State of New Jersey Division of Taxation for License # 0205-33-011-003; and

WHEREAS, a Special Ruling to permit the renewal of an inactive license pursuant to N.J.S.A.33:1-12.39 for the 2020-2021 and 2021-2022 license terms for Anthony Calandra and Luciano Calandra Jr., License # 0205-33-011-003 (Docket No. 07-20-120) has been received by the Borough Clerk stating that the licensee has established good cause in accordance with the statutory requirements to warrant the renewal of the license for the 2020-2021 and 2021-2022 license terms.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey 07072, that the application for renewal of the pocket license in the name of Anthony Calandra and Luciano Calandra Jr., Plenary Retail Consumption License # 0205-33-011-003 for the 2020-2021 license term is hereby approved.

RESOLUTION NO. 2020-198

WHEREAS, Veroli Inc. t/a Il Villaggio has filed an application requesting the renewal of Plenary Retail Consumption License No. 0205-33-018-003 for the 2020-2021 license term; and

WHEREAS, the regular fee of one thousand seventy-four dollars (\$1,074.00) has been

received together with a copy of the Tax Clearance Certificate.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey 07072, that the application for renewal of the license in the name of Veroli Inc. t/a Il Villaggio, Plenary Retail Consumption License # 0205-33-018-003 for the 2020-2021 license term is hereby approved.

RESOLUTION NO. 2020-199
RESOLUTION TO ADVERTISE FOR BIDS

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of the Borough Engineer, Gregory J. Polyniak, Neglia Engineering Associates that the plans & specifications for:

GARDEN - ORCHARD RECREATION COMPLEX
PHASE I DEVELOPMENT – PASSIVE PARK & PARKING LOT
(BERGEN COUNTY OPEN SPACE FUNDED)

BOROUGH OF CARLSTADT
BERGEN COUNTY, NEW JERSEY

are hereby approved and the Borough Clerk is hereby authorized to advertise for bids. This Resolution to take effect immediately.

RESOLUTION NO. 2020-200

WHEREAS, it is upon the advice and recommendation of the Borough Counsel, Tax Assessor, Special Tax Appeal Counsel, Appraisal and Financial Consultants to seek formal approval of the here within settlement as follows:

The Property is located as follows:

Block 116, Lot 2 333 Sixteenth St.

- As noted on the Borough Tax Map and owned by Plaintiff, Jankar, LLC.
- The within Resolution relates to the settlement of the pending tax appeal matter entitled Jankar, LLC v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. 008668-2019.
- The proposed settlement terms and conditions related to this matter is noted in the attached settlement recommendation letter.

WHEREAS, it is in the best interest of the Borough to approve the proposed settlement to avoid the cost and uncertainty of litigation.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Counsel of the Borough of Carlstadt, County of Bergen, State of New Jersey that the Borough Tax Counsel is hereby authorized and directed to further prepare, execute any and all documents necessary in order to facilitate the further processing for the above stated tax appeal settlement, with copies of same to the Borough Clerk, Borough Attorney, Borough Tax Collector and Borough Tax Assessor.

RESOLUTION NO. 2020-201

WHEREAS, it is upon the advice and recommendation of the Borough Counsel, Tax Assessor, Special Tax Appeal Counsel, Appraisal and Financial Consultants to seek formal approval of the here within settlement as follows:

The Property is located as follows:

Block 127, Lot 3 145 Commerce Road

- As noted on the Borough Tax Map and owned by Plaintiff, 145 Commerce Road Associates/Hanna Frank.
- The within Resolution relates to the settlement of the pending tax appeal matter entitled 145 Commerce Road Associates/Hanna Frank v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. 003710-2017, 000516-2018 and 000623-2019.
- The proposed settlement terms and conditions related to this matter are noted in the attached settlement recommendation letter.

WHEREAS, it is in the best interest of the Borough to approve the proposed settlement to avoid the cost and uncertainty of litigation.

NOW, THEREFORE BE IT RESOLVED, by the Mayor & Counsel of the Borough of Carlstadt, County of Bergen, State of New Jersey that the Borough Tax Counsel is hereby authorized and directed to further prepare, execute any and all documents necessary in order to facilitate the further processing for the above stated tax appeal settlement, with copies of same to the Borough Clerk, Borough Attorney, Borough Tax Collector and Borough Tax Assessor.

RESOLUTION NO. 2020-202

WHEREAS, the Borough of Carlstadt has adopted a Property Maintenance Ordinance to provide the property owners of the Borough of Carlstadt the best value for their tax dollars and to provide a minimum standard of maintaining their property; and

WHEREAS, the Carlstadt Zoning Department is charged with the responsibility to regulate and inspect properties as per the Property Maintenance Ordinance; and

WHEREAS, inspections were made at the following properties for sanitation violations and overgrowth of weeds and grass, etc. and that the property owners were notified to correct the violations and did not respond in the prescribed time frame; and

WHEREAS, the Zoning Department contracted with a vendor to correct said violations.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that all charges paid by the Borough of Carlstadt to clean up and landscape the following property shall be passed onto the property owners as a Municipal Charge and added to their property taxes accounts. The properties and charges are listed below:

Block	Lot	Name	Address	Amount
24	7	Ruhle, Frank	326 Union Street	\$1,950.00

INVOICE #: Lawnboys #2961 (9/2020)

The Carlstadt Tax Collector shall adjust his books accordingly.

RESOLUTION NO. 2020-203

WHEREAS, notification was received that the following handicapped parking spaces are no longer needed and should be removed from these locations:

1. 334 Broad Street
2. 313 Seventh Street

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Borough Clerk notify the DPW to remove the above mentioned handicapped parking spaces and that the Police Chief remove same from the certified list of handicapped parking spaces.

RESOLUTION NO. 2020-204

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 683-685 Broad Realty, LLC for property located at 75 Triangle Boulevard Block 125 Lot 2 as per Docket No. 001433-2019 dated 07/20/2020 reducing the 2019

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property tax assessment from \$2,690,200.00 to \$2,500,000.00 and as per Docket No. 009166-2020 dated 7/20/2020, reducing the 2020 property tax assessment from \$2,793,400.00 to \$2,250,000.00; and

WHEREAS, the Governing Body of the Borough of Carlstadt approved Resolution Number 2020-179 on September 2, 2020 authorizing the refund of the 2019 Tax Appeal (\$3,490.17) but could not approve the 2020 refund as Carlstadt had not received the 2020 tax rate at that time; and

WHEREAS, Carlstadt has received the 2020 tax rate so the reduction in the 2020 Property Tax Assessment is \$543,400.00 or \$9,645.35 in 2020 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$9,645.35 and the Tax Collector shall adjust his books accordingly.

It is noted that the Borough's Finance Officer has reviewed this Tax Appeal Settlement and certifies that the Appeal is genuine and that funds are available for payment. It is also noted that Tax Appeal Attorney John Bang, Esq. has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt and that the Carlstadt Borough Attorney Joseph Donahue, Esq. has reviewed this Resolution and finds it to be satisfactory and legal. In addition, the Auditor for the Borough of Carlstadt has reviewed the calculations and finds them to be true.

The refund shall be made payable to: "Irwin & Heinze, P.A. Attorney Trust Account" and shall be mailed to Amber N. Heinze, Esq., 383 Main Street, Suite 101, Chatham, New Jersey 07928.

RESOLUTION NO. 2020-205

WHEREAS, Robert Sauter was issued permit number 2020-0084 on April 29, 2020 to replace two boilers and two hot water heaters at 421 Fifth Street; and

WHEREAS, the work was never performed and Mr. Sauter has requested a refund in the amount of \$268.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that Robert Sauter be issued a refund in the amount of \$268.00 for permit number 2020-0084.

RESOLUTION NO. 2020-206

WHEREAS, it is the desire of the Mayor and Council to establish a Community Relations Advisory Committee that shall consist of nine (9) members who are Carlstadt residents; and

WHEREAS, the committee shall be appointed by the Mayor with the advice and consent of the Council for a term of one year expiring annually on December 31st and to serve without compensation; and

WHEREAS, the committee shall promote ethnic and cultural harmony, recognize and celebrate the community's diversity and create and foster educational, cultural and community programming and practices that make our community more egalitarian, welcoming, inclusive, safe and productive for all Borough residents, local business, visitors and surrounding communities.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that a Community Relations Advisory Committee is hereby established.

Proclamation

WHEREAS, the true character and definition of a community has its roots in the quality and distinction of its residents and, throughout the State of New Jersey, the Borough of Carlstadt has distinguished itself through the lives of extraordinary individuals who have called the Borough of Carlstadt their home; and

WHEREAS, John Zazula, was born on October 1, 1920, to his proud parents Anthony and Anastasia in Jersey City, New Jersey, and was joined by three sisters and two brothers and enjoyed the benefits of a large family. In 1951, John met Helen Szwed of Wallington and the two were married at a ceremony at the Most Sacred Heart Church in Wallington on January 26, 1952. Together John and Helen were blessed with five children: Janice, Anthony, Elaine, Marilyn and John. Today, he can boast that he is the proud grandfather of eight grandchildren: Alexandra, Julianne, Nicolas, Michelle, Kyle, Kimberly, Jenna and Kailyn; and

WHEREAS, John Zazula is a Purple Heart recipient having proudly served in the U.S. Army in the North Africa and European Theaters following his basic training at Fort Dix and Camp Stewart which commenced in 1942. When he was discharged in 1945, John was employed by Western Electric in Kearny for nearly 40 years before his retirement. He later founded the Western Electric Telephone Pioneers Retirement Club of which he served in the position of President; and

WHEREAS, John Zazula is a resident of Carlstadt since 1957 and has resided at 649 8th Street for more than sixty years. He has been an active constituent of the community and is currently a member of the Carlstadt VFW, St. Joseph's Church, the Holy Name Society and the Knights of Columbus. Additionally, he dutifully served as a member of the Carlstadt Zoning Board of Adjustment; and

WHEREAS, on October 1, 2020 **John Zazula** will be blessed with the joyful celebration of his 100th birthday, the Governing Body of the Borough of Carlstadt is desirous of acknowledging and honoring **John Zazula**, who has established deep roots in this community;

WHEREAS, the Governing Body of the Borough of Carlstadt has previously declared October 1st to forever be known as **John Zazula Day** to commemorate his 90th birthday, today we wish him many more celebrations of that honor;

NOW, THEREFORE BE IT PROCLAIMED that the Governing Body of the Borough of Carlstadt hereby extends their sincerest best wishes for health happiness and continued longevity to Carlstadt's own **John Zazula** in celebration of his 100th birthday.

I, Robert J. Zimmermann, set my hand to this Proclamation on this 16th day of September, 2020 as **Mayor of the Borough of Carlstadt** and set this proclamation as a permanent record of the Borough of Carlstadt.

Mayor Zimmermann entertained a motion to approve the Consent Agenda and the Proclamation. On motion by Emerson, seconded by Lenoy. Councilmembers Stoltz, Lenoy, Emerson and Fonseca voted yes. Councilmember DeBiase voted yes but abstained on Resolution No. 2020-193 and Councilman Roseman was absent.

READING OF BILLS:

RESOLUTION NO. 2020-207

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the following bills having been approved by the Finance Committee are approved herewith for payment:

CAPITAL ACCOUNT

MSI Technologies	\$ 2,340.00
Neglia Engineering Associates	22,173.08
SHI	717.76
East Coast Emergency Lighting Inc.	6,933.84
Patrol P.C.	4,137.30
Treasurer State of New Jersey	770.00

TRUST ACCOUNT

Walter Slomienski Jr., Esq.	1,017.75
Neglia Engineering Associates	556.50
Current Account	134,920.02

DOG WARDEN TRUST

NJ Dept. of Health and Senior Services	3.60
Tyco Animal Control Services	816.66

CURRENT ACCOUNT

AGGRESSIVE ENERGY LLC	4,954.69
AHOLD FINANCIAL SERVICES	46.92
AMERICAN PAPER & SUPPLY	604.40
A.N.D. SERVICE	580.00
ARAMARK UNIFORM SERVICES	437.19
ARROW ELEVATOR INC.	216.00
ATLANTIC COAST FIBERS	3,691.80
BALCO INDUSTRIES	1,015.00
BELLAVIA	1,921.45
BERGEN FENCE	1,398.00
BERGEN MUNICIPAL EMPLOYEE	16,361.00
BEYER BROTHERS CORP.	583.24
BIOSHINE	701.07
BLUE STAR OF NEW JERSEY INC.	125.00
BOROUGH OF RUTHERFORD	4,799.55
BOROUGH OF E. RUTHERFORD	8,356.16
BRAEN STONE INDUSTRIES INC.	128.13
CARLSTADT FIRE DEPARTMENT	9,075.70
CARLSTADT BOARD OF EDUCATION	1,046,392.83
CERTIFIED LABORATORIES	401.95
CHASEN, LAMPARELLO, MALLON	11,783.85
CHEEMA OIL CORPORATION	290.98
COMFORTABLE SOLUTION	5,200.00
CONTINENTAL FIRE AND SAFETY	479.00
CROSS COUNTRY BERGEN LLC	700.79
CUMMINS SALES & SALES	9,672.12
DELGADO INTERPRETING SERVICES	180.00
DENISE MURRAY	100.00
DICK MARTIN SPORTS	825.00
DIRECT ENERGY BUSINESS	275.08
DOWNES TREE SERVICE INC.	2,650.00
ENVIRONMENTAL RENEWAL L.L.C.	100.00
EXTECH BUILDING MATERIALS	328.00
THE CHOI LAW GROUP LLC	3,593.75
FIRE & SAFETY SERVICES	12,982.27
FRONTIN, MARTIN	478.31
GARDEN STATE HIGHWAY PRODUCTS	136.00
GATES FLAGS AND BANNER	574.00
GLEN TYPEWRITER	95.00
G.T.B.M. INC	2,780.01
HALEBIAN & COMPANY	2,641.21
HARRIS UNIFORMS	260.00

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HEALTH AWARENESS REG. PR	1,575.50
HOMETOWN AUTO PARTS	530.86
HUDSON TIRE EXCHANGE	6,045.35
IACP	875.00
I.D.A.	136,249.18
IMPRESSIVE PRINTING	213.64
IRWIN & HEINZE P.A.	16,625.69
INTERSTATE WASTE SERVICES INC.	21,010.00
JOSEPH R. DONAHUE LLC	5,579.16
KEEHN POWER PRODUCTS, INC.	2,876.95
KIMBERLY KOZIEL	100.00
KUIKEN BROTHERS COMPANY	2,566.31
LEXISNEXIS RISK SOLUTIONS	88.00
LOWE'S BUSINESS ACCT/GEMB	1,698.43
MATERA'S NURSERY	883.90
MCNERNEY & ASSOCIATE	3,500.00
MEADOWLANDS HARDWARE	120.00
MSI TECHNOLOGIES LLC	87.50
MUNICIPAL EMERGENCY SERVICES	3,580.50
NASSOR ELECTRICAL SUPPLY	89.96
NATURE'S CHOICE CORP.	5,016.00
NEGLIA ENGINEERING ASSOCIATES	20,728.20
NEXTEL COMMUNICATIONS	77.18
NJ FIRE EQUIPMENT CO.	1,584.78
NJ STATE LEAGUE OF MUNICIPALITIES	49.00
NORTHEAST SWEEPERS & RENTALS	7,805.71
PASQUALE & DELEASA LLC	275.00
PAYROLL ACCOUNT	773.29
ESS, INC.	3,869.00
PRESTI, ROSARIO JR., ESQ.	836.66
PROGRESSIVE BRICK CO.	310.82
RCM CEBERIO LLC	3,000.00
RE-TRON TECHNOLOGIES INC.	81.64
REDICARE LLC	6,471.00
REGAL STAMP CO.	148.00
REGIONAL BOARD OF EDUCATION	580,786.75
REMINGTON AND VERNICK	3,571.00
RIDGEHURST AUTO PARTS	250.57
RIEDEL SIGN CO., INC.	120.00
ROBERT T. REGAN, ESQ.	2,257.20
ROYAL TOUCH HAND CAR WASH	312.00
R.R. DONNELLEY	147.00
SCHUMACHER CHEVROLET	717.69

SHERWIN WILLIAMS, INC.	1,172.88
STATE OF NEW JERSEY	502.50
QUALITY AUTO MALL	587.46
STAPLES ADVANTAGE	828.02
THE TERRE CO.	234.00
THE RECORD	140.45
T&R ALARM SYSTEMS INC.	270.00
TRANSUNION RISK & ALTERNATIVE	100.00
TRAFFIC SAFETY & EQUIPMENT	1,995.00
TRI-STATE WINDOW TINTING INC.	1,028.66
U.S. BANK CUST FOR PRO CAP 8	19,770.49
VALLEY BANK	1,710.50
ADPP ENTERPRISES INC.	209.51
VAN DINES INC.	1,477.95
V.E. RALPH & SON	1,202.94
VERIZON BUSINESS	49.35
921-PRAXAIR DIST MID-ATLANTIC	188.19
Y-PERS INC.	841.34
I.D.A.	505.00
VERIZON	1,155.72
PSE&G	2,890.90
VERIZON	83.28
MEDICAL BENEFITS ACCOUNT	24,000.00
US POSTAL SERVICE (CMRS-FP)	3,250.00
SUEZ WATER NEW JERSEY	35.87
SUEZ WATER NEW JERSEY	1,450.41
VERIZON	821.94
OLD HICKORY BUILDING LLC	4,513.75
NEW JERSEY MOTOR VEHICLE	2.00
SUEZ WATER NEW JERSEY	10,653.66
VERIZON	895.57
PAYROLL ACCOUNT	18,103.72
PAYROLL ACCOUNT	344,614.29
MEDICAL BENEFITS ACCT	100,000.00

TOTAL \$2,546,686.22

TOTAL BILLS FOR THE MONTH \$2,721,072.73

The Chief Financial Officer certified there are sufficient funds available for payment of the aforementioned bills.

On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

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HEARING OF CITIZENS:

Mayor Zimmermann entertained a motion to open the floor to a hearing of citizens.

On motion by DeBiase, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Zimmermann said no citizens were present for the hearing of citizens at this time.

Mayor Zimmermann entertained a motion to close the hearing of citizens.

On motion Emerson, seconded by Lenoy, unanimous on call of roll of those present.

CONSIDERATION OF ORDINANCES:

ORDINANCE NO. 20-3

Mayor Zimmermann entertained a motion to table Ordinance 20-3, the salary ordinance, due to ongoing circumstances (COVID-19 Pandemic.)

On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

ORDINANCE NO. 20-6

Mayor Zimmermann entertained a motion to carry over Ordinance 20-6 adopting the Meadowlands Regional Commission Master Plan, Zoning Regulations, Codes and Standards.

On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

FIRST READING

ORDINANCE NO. 20-7

AN ORDINANCE AMENDING SCHEDULE XIV OF SECTION 10-8 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED "BUS STOPS"

WHEREAS, pursuant to N.J.S.A. 39:4-8(e), the Governing Body has the authority to set the location of bus stops in and for the Borough of Carlstadt; and

WHEREAS, consistent with the request and recommendation of NJ Transit in their August 21, 2020 communication, the Mayor and Council approves the relocation of a bus stop along Washington Avenue (CR 503), northbound on the easterly side thereof at the southerly curb line of Jomike Court to a location along Washington Avenue (CR 503), northbound, on the easterly side thereof between Jomike Court and Road A (mid-block).

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Carlstadt that Schedule XIV of Section 10-8 entitled "*Bus Stops*" of the Revised General Ordinances of the Borough of Carlstadt, 2002, be and hereby is amended and supplemented with the following:

SCHEDULE XIV

a. DELETED Bus Stop:

Along Washington Avenue (CR 503), northbound, on the easterly side thereof at:

Jomike Court – (near side)

Beginning at the southerly curb line of Jomike Court and extending 105 feet southerly therefrom (location 32959)

b. ADDED Bus Stop:

Along Washington Avenue (CR 503), northbound, on the easterly side thereof at:

Between Jomike Court and Road A – (mid-block)

Beginning 115 feet south of the southerly curb line of Jomike Court and extending 135 feet southerly therefrom (location 32959)

Savings Clause. All other provisions of Chapter X, Section 10-8 and Schedule XIV shall remain in full force and effect.

Repeal of Prior or Inconsistent Ordinance. All ordinances or parts thereof inconsistent herewith are hereby repealed as to such inconsistency only.

Severability. If any section, clause, sentence or other part of this Ordinance or the application thereof to any person or circumstance shall for any reason be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

Effective Date. This Ordinance shall take effect upon approval of the Bergen County Board of Chosen Freeholders and publication as required by law.

RESOLUTION NO. 2020-208

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE AMENDING SCHEDULE XIV OF SECTION 10-8 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED “BUS STOPS”

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 7th day of October, 2020 at 7:00 o'clock P.M. or as

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soon thereafter as the matter can be reached, at the regular meeting place of the Carlstadt Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be, and she hereby is, authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

On motion by DeBiase, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Zimmermann asked if anyone had other matters to discuss.

COUNCILMAN JOSEPH EMERSON

He thanked the Carlstadt's Soccer Committee, Michael Cugini, the Board President and the Board, parents, the Department of Public Works and the Police Department for all their work in preparing for the season. He expressed best wishes for a successful season.

Councilman Emerson also inquired if the approved Zumba classes started in the Borough. He was advised not as yet.

COUNCILWOMAN SUZANNE FONSECA

She updated the Mayor and Council on the status of the Community Garden at the old Lincoln School site. She reviewed the plantings, gazebo, fundraising, sponsorships, benches, etc.

Mayor Zimmermann suggested the Environmental Committee contact the Bergen County organization involved in other gardens in the area.

The Mayor and Council thanked Councilwoman Fonseca for her work on the Community Garden.

COUNCILWOMAN DIANE DEBIASE

She had nothing to discuss at this time.

COUNCILMAN JAMES LENOY

He asked for an update on the Concert in the Park on Wednesday, September 23, 2020. Joseph Crifasi, DPW Operations Manager, advised that residents were notified and reminders will be sent out via Facebook, etc. a few days before the concert.

COUNCILMAN DAVID STOLTZ

He reminded the Mayor and Council about the Document/Shredding Event on Saturday October 3, 2020 at Borough Hall.

He also inquired about the dying plants at Zimmermann Park. Joseph Crifasi, DPW Operations Manager, advised him that the vendor was already contacted about replacing the plants based on the contract.

JOSEPH CRIFASI, DPW OPERATIONS MANAGER

He discussed the following with the Mayor and Council:

1. Upcoming Borough Document Shredding Event on Saturday, October 3, 2020 and the Fire Department's event on Saturday, September 19, 2020.
2. Basketball Courts – damaged basketball rims were removed for safety. New rims will be put in. Fencing will be installed. Due to bidding restrictions, a quote of \$3,920.00 from a Carlstadt business, Direct Fence, was received.

Mayor Zimmermann entertained a motion to approve the repair of the fence for \$3,920.00. On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

3. Basketball Courts/Parks – amendment/revision of the Ordinance was discussed with the Borough Attorney and Mayor and Council.

Basketball courts and parks will be limited to Carlstadt residents only and open and close times to be at Mayor and Council's discretion. Noise regulation was also discussed.

Councilman Stoltz asked if there were any issues to limiting use of areas to Carlstadt only residents.

FIRST READING

ORDINANCE NO. 20-8

AN ORDINANCE AMENDING SECTION 5-12 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED "PARKS AND RECREATION AREAS"

WHEREAS, the Governing Body has the authority to set the terms and conditions of use of the Parks and Recreation Areas within the Borough of Carlstadt; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Carlstadt that Section 5-12 "*Parks and Recreation*" of the Revised General Ordinances of the Borough of Carlstadt, 2002, be and hereby is amended and supplemented with the following:

Added under Section 5-12.2.

- o. No person shall distribute circulars or other written material or affix any placards, stickers or signs in or on courts, rinks, parks, playgrounds or fields without permission from the Mayor and Council.**

Added under Section 5-12.4.

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a. Public Courts and Rinks. All public courts and rinks located throughout the Borough, **unless otherwise specified herein**, shall be open to the public from 9:00 a.m. to **one hour after sunset**.

c. Basketball Court. The basketball courts located behind Stepanek Park on Washington Street and Ninth Street shall be open to **Carlstadt Residents only**. **The Basketball Courts shall be open from 9 a.m. to one hour after sunset**. A sign shall be posted in each individual basketball court for public information as to such opening and closing. **Residents shall be permitted to utilize the courts for play with non-resident guests provided that the residents remain with the non-resident guests during usage of the courts and provided guests do no otherwise compromise the ability of residents to enjoy the use of the courts.**

Savings Clause. All other provisions of Chapter V, Section 5-12 shall remain in full force and effect.

Repeal of Prior or Inconsistent Ordinance. All ordinances or parts thereof inconsistent herewith are hereby repealed as to such inconsistency only.

Severability. If any section, clause, sentence or other part of this Ordinance or the application thereof to any person or circumstance shall for any reason be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

Effective Date. This Ordinance shall take effect upon approval of the Governing Body of the Borough of Carlstadt and publication as required by law.

RESOLUTION NO. 2020-209

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE AMENDING SECTION 5-12 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED “PARKS AND RECREATION AREAS”

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 21st day of October, 2020 at 7:00 o'clock P.M. or as soon thereafter as the matter can be reached, at the regular meeting place of the Carlstadt Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be, and she hereby is, authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Mayor Zimmermann entertained a motion to introduce Ordinance 20-8.

On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

4. Auction held on September 14, 2020 from 9:00 A.M. to 3:00 P.M. at the DPW Garage – Awarded bids were accepted by Mayor and Council for the following:

a. Liberty Motors Inc.
1705 Kennedy Boulevard
Jersey City, N.J. 07305

- 1) 2000 Ford Explorer VIN #1FMRU1663YLC36435 - \$333.00
- 2) 2007 Chevrolet Suburban VIN # 3GNGK26K67G283188 - \$1,414.00
- 3) 2004 Ford Crown Victoria VIN # 2FAFP71W14X105984 - \$313.00

b. Jersey One Auto
495 Tonnele Avenue
Jersey City, N.J. 07307

- 1) 2004 Ford Crown Victoria VIN # 2FAFP71W14X172021 - \$521.00
- 2) 2007 Ford 4x4 Crew Cab F-450 VIN # 1FDXW47Y37EB39127 - \$1,231.00
- 3) 2006 Ford Crown Victoria VIN # 2FAFP71W26X141637 - \$627.00

c. Marczaks Inc.
247 Central Avenue
Metuchen, N.J. 08840

- 1) 1996 ODB Leaf Vac and Collection Box VIN# 6962022 - \$525.00
- 2) 1999 Dodge Ram Truck VIN # 3B6MF3669XM579580 - \$600.00
(Negotiated amount for 1999 Dodge Ram Truck since it was bid two times)

d. Executive Property Maintenance, LLC.
94B North Ramapo Avenue
Mahwah, N.J. 07430

- 1) 2001 Dodge Pickup with plow VIN # 3B7KF26Z41M581817 - \$1,200.00

Mayor Zimmermann entertained a motion to accept the bids of the above bidders.

On motion by Stoltz, seconded by Lenoy, unanimous on call of roll of those present.

5. Remaining inventory – readvertise for a second auction.

Mayor Zimmermann entertained a motion to readvertise for a second auction date.

On motion by Stoltz, seconded by Lenoy, unanimous on call of roll of those present.

6. Sidewalks/curb work – work was being completed around the Borough.

BOROUGH ATTORNEY, JOSEPH DONAHUE

He needed clarification in order to finalize the Tax Collector Shared Services Agreement between the Borough and the Borough of Wallington. The matter to be discussed in Closed Session.

HEARING OF CITIZENS:

Mayor Zimmermann asked the two residents that were present after the Hearing of Citizens was closed if they had any matter they would like to discuss.

1. Donald Molzon, 530 Madison Street - he inquired as to the status of Senior Housing in the Borough. Mayor Zimmermann informed him that the vacant property on Orchard and Broad was a possible site. He also asked about the old Lincoln School site. Councilwoman Fonseca explained the plans for a Community Garden. Mr. Molzon asked if there would be resident involvement. He was told that the Mayor and Council would very much want and appreciate residents getting involved. Further, Mr. Molzon complained about the Borough parking lot and street parking around Borough Hall. He was advised that some Borough vehicles have to be moved to free up parking spaces. The COVID-19 Pandemic caused a delay. He also asked that the Borough look into over-crowded homes that utilize multiple street parking spaces. Mayor Zimmermann advised that the Zoning Department would look into it. Councilman Stoltz also informed Mr. Molzon that the Boroughs of Carlstadt and Wallington have a shared Court and on those days street parking is scarce. However, the Borough of Carlstadt is being compensated through a Shared Service Agreement. Mr. Molzon also donated an American Flag to the Borough. The Mayor and Council accepted the donation.
2. Gunter Kuprat, 507 Washington Street - he presented Mayor Zimmermann with a framed picture and mentioned that the Turn Hall was able to have a meeting.

**EXECUTIVE SESSION MEETING ACT
RECESS INTO CLOSED SESSION**

WHEREAS, it is necessary for the Governing Body of the Borough of Carlstadt to conduct an executive session closed to the public in order to discuss one or more of the following subjects: personnel and property.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt hereby moves to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. Seq. for the purpose of discussing one or more of the following subjects: personnel and property.

AND, BE IT FURTHER RESOLVED that the public will be informed either later this evening after reconvening the public meeting or at a future public meeting said date is not predictable

at the present time.

AND, BE IT FURTHER RESOLVED that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

Mayor Zimmermann entertained a motion to go into closed session at 8:05 P.M. On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to go back to open session at 9:08 P.M. On motion by Stoltz, seconded by Emerson, unanimous on call of roll of those present.

MISCELLANEOUS & NEW BUSINESS

1. Mayor Zimmermann entertained a motion allow employees of at least twenty years of service to cash out two weeks of their 2020 vacation and to carry over one week to the end of January 2021. This is due to the COVID-19 Pandemic of 2020.
On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.
2. Mayor Zimmermann entertained a motion to allow Narita Maraj, part-time Clerk/Typist, to work an additional four hours a week through December 31, 2020, to assist the Borough Clerk and the Payroll Clerk.
On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to adjourn the meeting at 9:11 P.M. On motion by DeBiase, seconded by Lenoy, unanimous on call of roll of those present.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK