

CAUCUS/COUNCIL MEETING
February 17, 2021

A REGULAR SCHEDULED CAUCUS/COUNCIL MEETING of the Mayor and Council of the Borough of Carlstadt was held in the Council Chambers of the Borough Hall, 500 Madison Street, Carlstadt, New Jersey on Wednesday, February 17, 2021 at 7:01 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 arrived at 7:15 P.M.

Robert Ceberio of RCM Ceberio LLC and Joseph Donahue, Borough Attorney were also present.

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 7, 2021 and the Herald News on January 7, 2021 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.

PROFESSIONAL REPORT

Robert Ceberio of RCM Ceberio, LLC read his report for the month regarding projects that are being done in the Borough of Carlstadt. A copy of his report is on file in the Borough Clerk's office.

SPECIAL REPORTS

Fire Chief Dennis Kronyak, Jr. informed the Mayor and Council that socially distance in-person Fire Department meetings will resume in the firehouse in March. Trainings and cleaning of equipment will also be resuming.

Mayor Zimmermann inquired as to the COVID-19 vaccination status of Fire Department members. Chief Kronyak estimated about 20% of the members had the first dose of the vaccine.

Joseph Orlando, Deputy Project Manager, reviewed the Veteran's Tribute Banners with the Mayor and Council. The estimated cost using in-house banner design and a local printer, Impressive Printing, is \$4,162.00. This includes fifty banners (one hundred photos) and needed brackets for the light poles. The cost was lower than anticipated and no participating resident will be charged for their banner. Joseph Orlando also informed the Mayor and Council that another Veterans Flag Project is being worked on for those who do not have photos available.

Councilman Emerson will discuss the availability of funds with the CFO, Domenick Giancaspro.

Mayor Zimmermann entertained a motion to approve the design of the tribute banner and the cost to print them.

On motion by Fonseca, seconded by DeBiase, unanimous on call of roll.

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Joseph Orlando also discussed the Summer Concert Series with the Mayor and Council. Dates will be based on every other week from the first concert in June. Social distancing during concerts was also discussed. He has to confirm the dates with the vendor who produces the concerts, Cliffhanger Productions, and will have a proposal for the Mayor and Council. Councilman Emerson stated that the funds are available.

NEW BUSINESS

Mayor Zimmermann read the following names of the 155th Carlstadt School Picnic Committee for approval:

Chris Assenheimer	Jean Kimak
Doreen and Brian Curreri	Mirna Lopez
Joseph Crifasi	Mike and Elaine Stevens
Dominick Bracco	Councilman Stoltz
Debbie Foy	Councilman Roseman
Councilwoman Fonseca	Councilwoman DeBiase
Councilman Lenoy	Carolyn Pennino
Councilman Emerson	Eileen Milligan
Michele Marafelias	Bobbie O'Connor
Lynn Biamonte	Police Chief
Lucia and David Suarez	Ambulance Corps President
OEM Coordinator	CPS Principal
Fire Chief	CPS Board of Education President
CPS Superintendent	Beth Penna
CPS Teachers Union President	Joseph Orlando
Marlene and Joe Biggy	

On motion by Roseman, seconded by DeBiase, unanimous on call of roll.

READING OF MINUTES:

Mayor Zimmermann entertained a motion to accept the minutes of 1/1/2021 Reorganization Meeting, 1/8/2021 Caucus/Finance Meeting and 1/8/2021 Special Meeting, 1/20/2021 Caucus/Council Meeting and 2/3/2021 Caucus/Finance Meeting (Open and Closed Sessions.)

On motion by Emerson, seconded by Fonseca. Council members Stoltz, Emerson, Roseman, Fonseca and DeBiase voted yes. Council member Lenoy voted yes but abstained on the 2/3/2021 Caucus/Finance Meeting minutes.

CONSENT AGENDA

RESOLUTION NO. 2021-44

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. 2021-45

WHEREAS, Title 40A:4-59 of the New Jersey Statutes provides that should it be necessary, during the first three months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose, the Governing Body may, by resolution adopt (by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriation reserves deemed to be insufficient.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough Carlstadt that the Borough Treasurer be and is hereby authorized to make the following transfer of the 2020 appropriation reserves:

	IN	OUT
Governing Body		
Salaries & Wages		\$ 1,979.70
Administrative & Exec.		
Salary & Wages	\$ 16,201.53	
Other Expenses	967.03	
Finance Dept.		
Salaries & Wages		7,373.07
Other Expenses	30,963.22	
Tax Collector		
Other Expenses		1,885.04
Zoning Official		
Salaries & Wages		2,373.65
Other Expenses		2,102.50
Construction Code Official		
Other Expenses		1,077.00
Other Insurance		

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Other Expenses	500.00	
Group Employees Benefits		
Other Expenses	15,390.90	
Police Department		
Salary & Wages		6,947.81
Other Expenses	573.22	
Special Police		
Salary & Wages		2,803.04
Emergency Mgmt Service		
Salary & Wages		1,000.00
Fire Dept.		
Salary & Wages		1,991.28
Other Expenses	5,185.66	
Fire Official		
Salary & Wages		4,924.10
Other Expenses		5,954.51
Boro. Mechanic		
Other Expenses		5,000.00
Board of Health		
Salaries & Wages		1,672.88
Special Services		
Salary & Wages		1,644.99
Friendship Club		
Other Expenses		5,307.41
Recreation		
Salary & Wages		5,827.70
Other Expenses	1,636.47	
Utilities:		
Electricity	13,546.94	
Street Lighting		2,353.24
Telephones		8,361.59
Water		4,014.03
Gas		7,465.45
Gasoline		15,368.66

Solid Waste Disposal		20,000.00
Municipal Court Other Expenses	1,873.21	
Legal Services Other Expenses	30,000.00	
Public Defender Salaries & Wages	589.47	
TOTAL	\$117,427.65	\$117,427.65

RESOLUTION NO. 2021-46

WHEREAS, Peter Coletti, retired Police Captain has filed a request for reimbursement for Medicare Part B premiums and prescriptions on behalf of himself and his spouse for the year 2020 consistent with the Carlstadt SOA Contract and the Carlstadt PBA Local #312 thereafter filing a formal grievance, and the matter having proceeded to Arbitration with a finding in favor of the Carlstadt PBA Local #312; and

WHEREAS, the Opinion and Award of the Public Employment Relations Commission, PERC Docket No. AR 2009-98 provides for a reimbursement to be made from the date of the Opinion and thereafter.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Chief Financial Officer is hereby authorized to make payment representing reimbursement to Peter Coletti and his spouse for the year 2020 in the amount of \$3,582.50 as evidenced by the documents submitted as proof thereof. Subsequent payment for future reimbursements shall be made upon request and proof of deductions submitted by Peter and Joan Coletti.

RESOLUTION NO. 2021-47

WHEREAS, Robert W. Korsen, retired employee of the Carlstadt Department of Works has filed a request for reimbursement for the purchase of a Medicare supplement; and

WHEREAS, pursuant to the CDPWBA Contract Article XVII D 1. the amount of said reimbursement for the year 2020 is \$1,125.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Chief Financial Officer is hereby authorized to make payment in the amount of \$1,125.00 representing reimbursement for his Medicare supplement for the year 2020, pursuant to Article XVII D 1. of the Contract between the Borough of Carlstadt and the CDPWBA.

RESOLUTION NO. 2021-48
**RESOLUTION APPROVING ADDITIONAL BUDGET FOR THE
FIRM OF REMINGTON VERNICK IN CONNECTION WITH
PREPARATION OF COAH DOCUMENTS**

WHEREAS, the Governing Body previously retained the firm of Remington & Vernick, 232 Kings Highway East, Haddonfield, NJ 08083, to prepare the Borough's COAH Housing Element and Fair Share Plan with an original budget not to exceed \$22,800.00; and

WHEREAS, the original budget was expanded in May 2016 to include an additional \$4,960.00, in August 2017 to include an additional \$5,000.00, in November 2017 to include an additional \$5,200.00 and in July 2018 to include an additional \$5,400.00 for completion of documents related to the borough's on-going court proceedings; and

WHEREAS, the original and extended budgets as approved have been exhausted, but additional work is required by way finalizing and presenting the final documents and there also remains the potential for the need to participate in on-going court proceedings; and

WHEREAS, by letter dated February 4, 2019, Remington & Vernick outlined the work completed and reported work that remains to be completed together with a request for an additional amount of \$5,500.00 to be budgeted for the finalization and presentation of the documents; and

WHEREAS, by letter received February 18, 2020, Remington & Vernick outlined the work that needs to be done for an additional amount of \$8,000.00; and

WHEREAS, by letter received February 3, 2021, Remington & Vernick outlined the work that needs to be done for an additional amount of \$10,000.00; and

WHEREAS, the Governing Body is desirous of Remington & Vernick fulfilling the original purpose of its retention with regard to preparation of the Borough's COAH Housing Element and Fair Share Plan; and

WHEREAS, the Chief Financial Officer has certified that funds are available to pay the anticipated amount of the compensation, fees and disbursement for these services.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, hereby authorizes and approves the increased budget amount of \$10,000.00 to Remington & Vernick for such purposes.

RESOLUTION NO. 2021-49

WHEREAS, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for the Monroe Street Improvements (Broad Street to Division Avenue) – Bergen County Community Development Block Grant Funded project; and

WHEREAS, the Agreement for Professional Services includes a lump sum cost of \$21,700.00 representing Engineering and Surveying Costs and includes a not to exceed cost to be invoiced on a time basis (schedule in contract) of \$20,640.00 representing Construction Management Services; and

WHEREAS, the CFO has certified that these funds have been appropriately budgeted for; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services for the project for Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey.

RESOLUTION NO. 2021-50

BE IT RESOLVED, that the Mayor and Council of the Borough of Carlstadt wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$92,900.00 in 2020 Community Development Block Grant funds for:

Monroe Street Road Improvements

(Project Name)

Broad Street to Division Avenue

(Project Location)

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Robert J. Zimmermann to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Domenick Giancaspro, CFO, to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Carlstadt is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

RESOLUTION NO. 2021-51
**RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF LOCAL
GOVERNMENT SERVICES TO DEFER SCHOOL TAXES**

WHEREAS, the local district school tax levy for the 2020-2021 school year is \$12,556,714 and the regional high school tax levy is \$6,969,441.

BE IT RESOLVED, that the Borough of Carlstadt does hereby request the consent of the Director of the Division of Local Government Services in the Department of Community Affairs to defer \$6,278,357 and \$3,484,721 not in excess of 50% of 2020-2021 levy.

RESOLUTION NO. 2021-52

WHEREAS, Joseph Edone, retired Police Sergeant has filed a request for reimbursement for Medicare Part B premiums on behalf of himself for the year 2020 consistent with the Carlstadt SOA Contract and the Carlstadt PBA Local #312 thereafter filing a formal grievance, and the matter having proceeded to Arbitration with a finding in favor of the Carlstadt PBA Local #312; and

WHEREAS, the Opinion and Award of the Public Employment Relations Commission, PERC Docket No. AR 2009-98 provides for a reimbursement to be made from the date of the Opinion and thereafter.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Chief Financial Officer is hereby authorized to make payment representing reimbursement to Joseph Edone for the year 2020 as set forth in the Opinion and Award in PERC Docket No. AR 2009-98, attached hereto, in the amount of \$3,218.40 as evidenced by the documents submitted as proof thereof. Subsequent payment for future reimbursements shall be made upon request and proof of deductions submitted by Joseph and Janette Edone.

RESOLUTION NO. 2021-53

WHEREAS, the Borough Clerk solicited four quotes for the 2022 Fire Department Testimonial Dinner; and

WHEREAS, only one response was received which was from The Graycliff, 122 Moonachie, Avenue, Moonachie, NJ 07074.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the 2022 Fire Department Testimonial Dinner be awarded to The Graycliff, 122 Moonachie, Avenue, Moonachie, NJ 07074.

RESOLUTION NO. 2021-54

WHEREAS, the Governing Body had previously authorized the Borough Clerk to advertise for bids for the purchase of Equipment for Recreation Purposes for the year 2021; and

WHEREAS, a notice for bids was advertised and one bid was received on February 8, 2021 from Stan's Sport Center, Inc. 528 Washington Street, Hoboken, NJ 07030; and

WHEREAS, the bid received from Stan's Sport Center was a completely responsive bid in the total amount of \$68,855.70; and

WHEREAS, the Chief Financial Officer/Treasurer has determined that sufficient funds will be available in the 2021 Budget for Recreation in the amount of \$68,855.70 for purchases made under this contract.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that:

1. The Contract for Equipment for Recreation Purposes for the year 2021 be awarded to Stan's Sport Center, 528 Washington Street, Hoboken, N.J. 07030, for the amount of sixty-eight thousand, eight hundred fifty-five dollars and seventy cents. (\$68,855.70).
2. The Mayor and Clerk are hereby authorized to execute the necessary contract with Stan's Sport Center in an amount not to exceed \$68,855.70 in the form attached hereto.

Certification as to the availability of funds:

The Chief Financial Officer/Treasurer hereby certifies that sufficient funds will be available in the 2021 Recreation Budget to pay the amount of \$68,855.70 in accordance with the terms of the contract.

RESOLUTION NO. 2021-55

WHEREAS, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for the renewal of fourteen (14) limousine licenses; and

WHEREAS, the renewal application has been filed together with the requisite fee, and proof of insurance and Power of Attorney as required under N.J.S.A. 48:16-14 and 16 and vehicle and driver information as required by the ordinance to the satisfaction of the Borough Clerk.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application of Pegasus Transport Service, Inc. to renew thirteen (13) limousine licenses at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved for Vin #22109, #22112, #22107, #22116, #22108, #22117, #22114, #22118, #40606, #05612, #38586, #95019, #20964 and #02819.

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AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the renewal of the fourteen (14) limousine licenses at the above referenced location for the period of one year, commencing February 18, 2021 and ending on February 18, 2022 and a Certificate of Compliance with the requirements of N.J.S.A. 48:16-14 and 16, through the period indicated on the proof of insurance as submitted with the application.

RESOLUTION NO. 2021-56

BE IT RESOLVED that the following payments made by the Chief Financial Officer from Valley Bank during the month of January, 2021 be ratified:

<u>Date</u>	<u>Ck#</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
01/21/21	502404	Current	Great Am. Financial	\$ 425.00
01/21/21	502405	Current	Medical Benefits	5,740.00
01/21/21	502406	Current	Valley Bank	254.25
01/22/21	502407	Current	Wolf Vespasiano	3,357.18
01/22/21	502408	Current	Dance Theatre	5,000.00
01/25/21	502409	Current	Herbert Scheidweig	3,470.40
01/25/21	502411	Current	Wolf Vespasiano	22,195.17
01/26/21	502412	Current	Lowe's	778.31
01/26/21	502413	Current	Comcast	75.08
01/26/21	502414	Current	MCI Comm Service	526.58
01/26/21	502415	Current	Xcel Sports&Fitness	400.00
01/26/21	502416	Current	Comcast	548.28
01/29/21	502417	Current	Verizon	56.10
01/29/21	502418	Current	Verizon	129.99
01/29/21	502419	Current	PSE&G	61.73
01/29/21	502420	Current	Claire Foy	750.00
01/29/21	502421	Current	Medical	45,400.00
01/29/21	Wired	Current	Payroll	17,337.30
01/29/21	Wired	Current	Payroll	397,087.30

RESOLUTION NO. 2021-57

WHEREAS, the Borough of Carlstadt is interested in stopping the threat of Covid-19 in the Borough of Carlstadt and in the public at large; and

WHEREAS, the Biden administration issued an Executive Order on January 20, 2021 entitled Executive Order on Protecting the Federal Workforce and Requiring Mask-Wearing, which, among other things, obligates all federal employees, federal vendors and visitors to federal property to wear a mask, to abide by social distancing protocols and to otherwise abide by CDC recommendations while such individuals are on duty and/or are on federal property; and

WHEREAS, the Borough Attorney has reviewed the Biden administration's masking policy and has recommended adopting Section 1 of the policy.

NOW, THEREFORE BE IT RESOLVED by the Carlstadt Governing Body that Section 1 of the Biden administration’s masking policy is hereby adopted by the Borough of Carlstadt, shall be known as the Borough of Carlstadt Masking Policy and shall apply to all Borough employees, all Borough vendors and all visitors to Borough property while such Borough employees are on duty and when such Borough employees and individuals are on Borough property; and be it

FURTHER RESOLVED, that this policy shall supplement any and all policies and health measures in place in the Borough during the coronavirus pandemic, or any other such pandemic as declared by the Governing Body and shall become part of the Carlstadt Employee Handbook as well as the Carlstadt Policy and Procedures Manual and shall become effective immediately.

RESOLUTION NO. 2021-58

WHEREAS, the Borough of Carlstadt has learned of certain issues related to the Borough of Carlstadt Police Department’s overtime payments which stem from a Memorandum drafted by the Borough’s former Borough Administrator, dated March 14, 2000 (the “March Memorandum”); and

WHEREAS, the Borough Attorney and the Borough’s Auditors have reviewed both the current PBA Contract, effective January 1, 2021 and the last PBA Contract, effective January 1, 2016 and have found the March Memorandum is inconsistent with the overtime provisions of these contracts.

NOW, THEREFORE BE IT RESOLVED by the Carlstadt Governing Body that the above-referenced March 14, 2000 Memorandum is hereby deemed to be null and void, effective immediately.

Mayor Zimmermann entertained a motion to approve the Consent Agenda. On motion by Roseman, seconded by Emerson. Council members Stoltz, Lenoy, Emerson, Roseman and Fonseca voted yes. Council member DeBiase voted yes but abstained on Resolution No. 2021-44.

READING OF BILLS:

RESOLUTION NO. 2021-59

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:

<u>CAPITAL ACCOUNT</u>	
Rogut McCarthy LLC	\$ 834.08
NJ Fire Equipment Co.	9,017.00

<u>TRUST ACCOUNT</u>	
Devam Estate LLC	1,600.00

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PSE&G Co	1,050.69
Suez Water NJ	184.68
Current Account	118,014.52
Walter M. Slomienski, Jr. Esq.	443.25

DOG WARDEN TRUST

Tyco Animal Control Services	816.66
NJ Dept. of Health & Senior Services	251.40

CURRENT ACCOUNT

ALYSSA NOZKA	630.00
AMERICAN PAPER & SUPPLY	50.00
A.N.D. SERVICE	774.09
ANTHONY BONAGURA	180.00
ARAMARK UNIFORM SERVICES	362.84
ARROW ELEVATOR INC.	216.00
ATRA JANITORIAL SUPPLY	431.16
AVS TECHNOLOGY	500.00
AXON ENTERPRISE INC	375.00
BALCO INDUSTRIES	696.00
BAYLEY CORRIGAN	120.00
B.C. PROSECUTORS OFFICE	6,000.00
BECTON PROJECT GRADUATION INC	1,000.00
BELLAQUA INC.	23.80
BERGEN COUNTY MUNC CLERKS ASSOC.	100.00
BEYER BROTHERS CORP.	965.09
BLUE STAR OF NEW JERSEY INC.	239.80
BOROUGH OF RUTHERFORD	9,918.63
BRAEN STONE INDUSTRIES INC	107.12
CARLSTADT PUBLIC SCHOOL	200.00
CARTRIDGE WORLD MDLS	98.96
CARLSTADT BOARD OF EDUCATION	1,046,392.83
CARLSTADT ROLLER/HOCKEY	500.00
CARLSTADT RECREATIONAL BASKETBALL	725.00
CHEEMA OIL CORPORATION	1,886.07
CHEMICAL EQUIP LABS OF DE	11,658.97
CHRIS OEHLMANN	180.00
CLINICAL SERVICES MGMT P C	1,669.50
COMMERCIAL RECREATION	2,805.00
DELGADO INTERPRETING SERVICES	180.00
DIRECT ENERGY BUSINESS	3,543.97

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DMK APPAREL	3,000.00
D S MEYER ENTERPRISES LLC	875.00
DYLAN CAUGHEY	120.00
DYLAN HARR	75.00
EDMUNDS & ASSOCIATES INC	6,925.00
ENVIRONMENTAL RENEWAL L.L.C.	420.00
THE CHOI LAW GROUP LLC	2,250.00
FIRE & SAFETY SERVICES	548.92
FOLEY INC.	4,926.93
FRANK'S GMC	839.87
GARBARINI & CO.	33,878.75
GARDEN STATE HIGHWAY PRODUCTS	126.00
GOLD STAR CAR WASH	1,374.19
GRIFFIN AUTOMOTIVE	1,890.00
DOOR WORKS INC	315.00
G.T.B.M. INC	350.00
HARRIS UNIFORMS	1,153.00
HOMETOWN AUTO PARTS	178.68
I.D.A.	68,508.79
IDEMIA	3,930.57
IMPRESSIVE PRINTING	1,043.08
INTERACTION INSIGHT CORP.	2,500.00
INTERSTATE WASTE SERVICES INC.	16,543.02
JAKE KACZMAREK	180.00
JEM INDUSTRIAL SERVICES INC.	264.97
JOSEPH R EDONE	3,218.40
JOINT MEETING	5,000.00
JOSEPH R. DONAHUE LLC	5,579.16
JPMONZO MUNICIPAL CONSULTING	100.00
K&K TROPHY	175.00
KYLE SABIA	180.00
RUTHERFORD APPLIANCE CENTER	649.00
LEXISNEXIS RISK SOLUTIONS	42.50
MARK DUNN SR	600.00
MATERA'S NURSERY	171.70
MCNERNEY & ASSOCIATE	3,200.00
MEADOWLANDS DINER	38.89
MEADOWLANDS HARDWARE	125.89
MERCHANTS ALARM SYSTEMS	1,290.00
MICHAEL RENTA	60.00
MIKES TRANSMISSION	500.00
MSI TECHNOLOGIES LLC	2,720.50
MUNICIPAL EMERGENCY SERVICES	91.63

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NASSOR ELECTRICAL SUPPLY	289.86
NEXTEL COMMUNICATIONS	77.33
NICOLAS VISO	120.00
NJ FIRE EQUIPMENT CO.	572.00
NJLBHA	95.00
NJ PLANNING OFFICIALS	85.00
NJ STATE ASSN. OF CHIEFS	275.00
NORTH JERSEY MEDIA GROUP INC.	275.10
PAC TOOL & SUPPLY CO	50.60
PASQUALE & DELEASA LLC	925.00
PAT GRELLA	600.00
PAYROLL ACCOUNT	584.75
PERSONAL PROTECTION CONSULTANT	94.00
PETER & JOAN COLETTI	3,582.50
PIA	100.00
POWERDMS INC.	4,770.00
PRESTI, ROSARIO JR., ESQ.	418.33
PROFESSIONAL GOVERNMENT	420.00
PSE&G	20,470.77
RCM CEBERIO LLC	3,000.00
REGAL STAMP CO	92.50
REGIONAL BOARD OF EDUCATION	580,786.75
REMINGTON AND VERNICK	4,365.50
RICHARD S. CEDZIDLO	1,000.00
ROYAL TOUCH HAND CAR WASH	148.00
R&R TROPHY & SPORTING GOODS	3,069.00
SARAH OEHLMAN	180.00
SCHMIDT FRANK	600.00
SCOTT TRONZIGER	227.74
QUALITY AUTO MALL	1,074.53
STAPLES ADVANTAGE	4,216.15
STEPHEN P. SINISI ESQ. LLC	781.25
THE STANDARD INSURANCE CO.	9,720.42
THE EVANS COMPANY INC	448.00
TRAFFIC SAFETY & EQUIPMENT	1,037.50
TRUST ACCOUNT	2,095.95
UNITED SITE SERVICES	308.00
SUEZ WATER NEW JERSEY	706.09
US POSTAL SERVICE (CMRS-FP)	3,650.00
ADPP ENTERPRISES INC	43.36
VENTURA GLASS CO., INC.	3,000.00
VERIZON BUSINESS	52.28
W.B. MASON COMPANY, INC.	80.40

921-PRAXAIR DIST MID-ATLANTIC	197.84
WOLF, VESPASIANO, LLC	3,357.18
Y-PERS INC	714.82
MEDICAL BENEFITS ACCT	50,800.00
VERIZON	3,146.58
PSE&G	3,999.43
MUNICIPAL CLERKS ASSOC. OF NJ	100.00
VERIZON	894.15
VERIZON	885.67
SUEZ WATER NEW JERSEY	10,680.06
PAYROLL ACCOUNT	399,015.67
PAYROLL ACCOUNT	18,331.97
MEDICAL BENEFITS ACCT	80,000.00
TOTAL	\$ 2,495,101.31
TOTAL BILLS FOR THE MONTH	\$ 2,627,313.59

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

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

HEARING OF CITIZENS:

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

On motion by DeBiase, seconded by Fonseca, unanimous on call of roll.

Gunter Kuprat, 507 Washington Street - he thanked the Mayor and Council for approving the Veterans Tribute banners and for paying the total costs. He also asked for snow to be removed near the steps of the Veterans’ Memorial. Mayor Zimmermann assured him it would be cleared.

Donald Molzon, 530 Madison Street – he made recommendations for the Borough secondary parking lot so that employees don’t have to use street parking. Mayor Zimmermann said he would discuss it with the Police Chief.

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

On motion Fonseca, seconded by DeBiase, unanimous on call of roll.

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CONSIDERATION OF ORDINANCES

FINAL READING

ORDINANCE NO. 21-1

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 19-11 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED STORMWATER MANAGEMENT CONTROL REGULATIONS TO BE REPLACED BY ORDINANCE NO. 21-1 ENTITLED STORMWATER CONTROL.

Mayor Zimmermann entertained a motion to open this ordinance to a hearing of citizens.

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

Mayor Zimmermann asked if any citizen wished to be heard on this ordinance.

Mayor Zimmermann said to let the record note there are no citizens to speak on this ordinance.

Mayor Zimmermann entertained a motion to close this ordinance to a hearing of citizens.

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

RESOLUTION NO. 2021-60

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 19-11 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED STORMWATER MANAGEMENT CONTROL REGULATIONS TO BE REPLACED BY ORDINANCE NO. 21-1 ENTITLED STORMWATER CONTROL.

heretofore introduced, does now pass on final reading as amended and the Borough Clerk is hereby authorized and directed to publish said ordinance according to law.

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

FIRST READING

**ORDINANCE NO. 21-2
BOROUGH OF CARLSTADT
CALENDAR YEAR 2021**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Borough of Carlstadt (The Borough) in the County of Bergen finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$455,209 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$637,293, and that the CY 2021 municipal budget for the Borough be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTION NO. 2021-61
BOROUGH OF CARLSTADT
CALENDAR YEAR 2021
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

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 3rd day of March, 2021 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.

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

FIRST READING

ORDINANCE NO. 21-3

**AN ORDINANCE AMENDING SECTION 21-24.1a OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF
CARLSTADT, 2002, ENTITLED "MEADOWLANDS
OVERLAY DISTRICT"**

21-24 Meadowlands Overlay District.

[Added 10-7-2020 by Ord. No. 20-6]

21-24.1.

In accordance with Section 11(a) of the Act, the Borough of Carlstadt hereby adopts and maintains the NJSEA's master plan, zoning regulations, codes, and standards and that, further, the following documents are incorporated by reference and deemed to be part of this section:

- a.** NJMC Master Plan, adopted February 2020.
- b.** NJMC District Zoning Regulations, N.J.A.C. 19:4.
- c.** NJMC Subdivision Regulations, N.J.A.C. 19:5.
- d.** NJMC Building Code, N.J.A.C. 19:6.
- e.** NJMC District Transportation Plan Rules, N.J.A.C. 19:7.
- f.** Hackensack Meadowlands District Official Zoning Map.
- g.** Interim Policies Governing Affordable Housing Development in the Meadowlands District, effective July 24, 2008, last revised July 27, 2011.

- h.** Redevelopment plans: Paterson Plank Road Redevelopment Plan amended December 19, 2012.
- i.** Pallet racking installation requirements.
- j.** Landscape and Open Space Design Guidelines.
- k.** Open space requirements.
- l.** Recommended plant list (including native plants).
- m.** Guideline on invasive plants.
- n.** Tank checklist.

21-24.2.

The Borough of Carlstadt shall adopt, maintain, and abide by all of the applicable rules within the district, as amended and supplemented, inclusive of the aforementioned documents, in the course of any and all land use and zoning application reviews for properties located in the Hackensack Meadowlands District.

21-24.3.

In the interest of continuity of review, all applications shall be first submitted to the NJSEA, and the NJSEA shall within three business days of receipt forward a complete copy of the application to the Borough of Carlstadt.

21-24.4.

The Borough of Carlstadt acknowledges that the NJSEA shall continue to perform the following reviews:

- a.** Determination of any project which requires a use variance, in accordance with Section 11d. of the Act, which shall be evaluated within five business days of receipt, if possible; and
- b.** Calculation of Transportation Mitigation Assessment (TMAN), as required by the TPD Act; and
- c.** Determination of proposed finished floor elevation, as required by FEMA's National Flood Insurance Program (NFIP) Community Rating System (CRS); and
- d.** Administration of floodplain management regulations/floodproofing, as required by FEMA's NFIP CRS; and
- e.** Evaluation of the state's riparian interest, as required by N.J.S.A. 13:13.83:1B-13.8 regarding the New Jersey Department of Environmental Protection Bureau of Tidelands; and
- f.** Evaluation of development's conformance with the New Jersey Coastal Zone Management Program, as required by N.J.A.C. 7:7- 9.43; and

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g. Conformance with the interim policies governing affordable housing development in the Meadowlands District.

21-24.5.

The Borough of Carlstadt shall provide the commission with "all documentation, plans, and information regarding all applications," as required by Section 11a. of the Act.

21-24.6.

If a TMAN is determined by the NJSEA to be required, the Borough of Carlstadt agrees to refrain from issuance of any approval until such time that the TMAN is paid to the NJSEA or the appropriate agreement with the NJSEA for future payments is signed and filed in the County Registrar's office.

21-24.7.

Thirty percent of any funds collected in accordance with the TMAN for any project in the Borough of Carlstadt shall be used within the Borough of Carlstadt as required by Section 74k. of the Act.

21-24.8.

The Borough of Carlstadt acknowledges that the NJSEA shall independently enforce the Hackensack Meadowlands Transportation Planning District Act of 2015, if an approval is issued by the Borough of Carlstadt prior to the payment of the TMAN to the NJSEA.

21-24.9.

The Borough of Carlstadt shall retain all fees generated by the applications handled by the municipality in accordance with the fee schedule set forth in N.J.A.C. 19:4-11.

21-24.10.

The Borough of Carlstadt shall provide all necessary information to and cooperate with the NJSEA to ensure the continuity of the FEMA NFIP CRS program for the benefit of the constituent property owners within the Borough of Carlstadt as well as within the Hackensack Meadowlands District, including, but not limited to, the following:

a. As-built plans for completed building and/or addition construction prior to the issuance of any temporary or final certificate of completion and/or occupancy approval or certificate of occupancy;

b. A link on the municipal website, listing the NJSEA as the floodplain administrator for all district properties and directing inquiries to the NJSEA;

c. The records for all construction, maintenance and inspections regarding drainage structures located within the district portion of the municipality.

21-24.11.

The Borough of Carlstadt hereby agrees that, as the NJSEA is the floodplain administrator for the FEMA NFIP CRS program and is responsible for enforcement of the flood plain management regulations, all applications involving a request for a variance from the NJSEA's required finished floor elevation shall be submitted to the NJSEA for review and approval or rejection.

21-24.12.

To the extent that the New Jersey Administrative Code regulations permit an appeal to the Executive Director of the NJMC (by way of example, but not by way of limitation, N.J.A.C. 19:4-4.19), said appeal shall be made to the Zoning Code Official of the Borough of Carlstadt.

21-24.13.

To the extent that the New Jersey Administrative Code regulations permit the Executive Director of the New Jersey Meadowlands Commission to waive or reduce any application fee (by way of example, but not by way of limitation, N.J.A.C. 19:411.1), said request for a waiver or reduction of the application fee shall be made to the Zoning Code Official of the Borough Carlstadt.

21-24.14.

This section is limited to that portion of the Borough of Carlstadt within the Hackensack Meadowland District, as delineated on the Hackensack Meadowlands District Official Zoning Map. For the remaining portion of the Borough of Carlstadt, which is outside of the Hackensack Meadowlands District boundaries, all existing development regulations shall remain in full force and effect.

21-24.15.

If any section, paragraph, subdivision, clause or provision of this section shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged and the remainder of this section shall be deemed to be valid and effective.

21-24.16.

This section is hereby referred to the Borough of Carlstadt Planning Board, pursuant to N.J.S.A. 40:55D-64 for a report, if any, pursuant to N.J.S.A. 40:55D-26(a).

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21-24.17.

Should the Borough of Carlstadt Planning Board fail to transmit said report within the required thirty-five-day period provided for in said statute, then the governing body shall be relieved from the requirements of N.J.S.A. 40:55D-26.

[1] *Editor's Note: Former Sections 21-24 through 21-27 were renumbered as Sections 21-25 through 21-28, respectively, to accommodate the addition of new Section 21-24.*

RESOLUTION NO. 2021-62

AN ORDINANCE AMENDING SECTION 21-24.1a OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED "MEADOWLANDS OVERLAY DISTRICT"

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 3rd day of March, 2021 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.

On motion by Stoltz, seconded by Fonseca, unanimous on call of roll.

Mayor Zimmermann asked if anyone had other matters to discuss.

COUNCILMAN JOSEPH EMERSON

He read the reports of the Tax Collector and the Police Department.

He also informed the Mayor and Council that the Carlstadt Spring Fest will be held adhering to social distancing guidelines.

COUNCILWOMAN SUZANNE FONSECA

She reported progress on her Committees.

COUNCILMAN WILLIAM ROSEMAN

He read the reports from the Planning Board and the Fire Department.

COUNCILMAN DAVID STOLTZ

He reported progress. Recycling is being taken to a Paterson location after the fire at the Passaic location. He also suggested that the reverse 911 should be implemented for more residents.

COUNCILWOMAN DIANE DeBIASE

She reported progress for the Equipment and Project Committees. The Borough's salting equipment and snow plows are ready for the predicted snow storm.

COUNCILMAN JAMES LENNY

He reported that the next Zoning Board meeting will be March 10, 2021. There was no meeting in February.

BOROUGH ATTORNEY, JOSEPH DONAHUE

He had nothing to discuss at this time.

BOROUGH CLERK, CLAIRE FOY

She had nothing to discuss at this time.

**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 7:53 P.M. On motion by Stoltz, seconded by DeBiase, unanimous on call of roll.

Mayor Zimmermann entertained a motion to go back to open session at 9:54 P.M. On motion by Fonseca, seconded by Stoltz, unanimous on call of roll.

NEW BUSINESS

Mayor Zimmermann entertained a motion to ratify the purchase of a dish garden for the family of the CFO, Domenick Giancaspro, on the passing of his stepfather.

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

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Mayor Zimmermann entertained a motion to approve the purchase of a fruit basket for Richard Biemesderfer.

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

Councilman Emerson requested Special Police be hired for the recreation clinics.

Mayor Zimmermann entertained a motion to approve the hiring of Special Police for the clinics at the Carlstadt Public School.

On motion by Stoltz, seconded by DeBiase, unanimous on call of roll.

The following Proclamation was presented to 7-Eleven at its grand opening ceremony on February 10, 2021:

PROCLAMATION

WHEREAS, 7-Eleven was initially founded in Texas in 1927 under the name Tote'm Stores as the world's first convenience store; and

WHEREAS, throughout its 94-year history 7-Eleven has grown to more than 71,000 stores in 17 countries; and has established itself as one of the top retailers in the world; and

WHEREAS, 7-Eleven strives to be the "best kind of neighbor" focused not only on their business model but looking beyond their stores to make differences in the communities where their customers, employees and Franchisees live, work and play; and

WHEREAS, 7-Eleven has chosen Carlstadt as its newest location bringing with them a culture of partnering with the communities they serve, as well as creating jobs; and

WHEREAS, the Borough of Carlstadt is honored to have 7-Eleven join our community and we applaud the model of community investment that they bring with them.

NOW, THEREFORE, on behalf of the Borough of Carlstadt and the Governing Body I, Robert Zimmermann, Mayor of Carlstadt, do hereby welcome 7-Eleven to their new home in our Borough and we look forward to their having the same success here as they have around the world.

PROCLAIMED this 10th day of February, 2021.

Mayor Zimmermann entertained a motion to adjourn the meeting at 9:56 P.M. On motion by Emerson, seconded by Stoltz, unanimous on call of roll.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK