

CAUCUS/FINANCE MEETING
March 3, 2021

A REGULAR SCHEDULED CAUCUS/FINANCE 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, March 3, 2021 at 7:00 P.M.

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

Joseph Crifasi, DPW Operations Manager, Gregory Polyniak of Neglia Engineering 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

Gregory Polyniak of Neglia Engineering 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.

Councilman Roseman asked that the vacant Garden Street property be tidied up until the project is ready to commence.

SPECIAL REPORTS

Fire Chief Dennis Kronyak, Jr. informed the Mayor and Council that socially distant in-person Fire Department meetings and cleaning of equipment have commenced. He also said more members were getting vaccinated.

The Fire Department is also planning for the following events, observing the current COVID-19 CDC and State guidelines:

May 8, 2021 – Chief's Testimonial Dinner at the Graycliff in Moonachie.

May 22, 2021 – Memorial Service at Memorial Park and Inspection at the Jefferson Street Firehouse.

Joseph Orlando, Deputy Project Manager informed the Mayor and Council about the details for the Summer Concert Series including the contract received from Cliffhanger Productions. The first concert will be on June 22, 2021 featuring The Nerds. Social distancing, limit on attendance and live streaming the event was discussed.

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Joseph Crifasi, DPW Operations Manager, asked Joseph Orlando to contact the Carlstadt Public Library and inform them of the concert dates so that there is no conflict with their events. Also, Joseph Orlando and Karl Ross, Recreation Advisor, will work on fundraising for the Concert Series.

Joseph Orlando also updated the Mayor and Council on the response to the outreach for the Veteran's Tribute Banners. So far, fifty-seven submissions were received, outreach still ongoing and still on budget.

CONSENT AGENDA

RESOLUTION NO. 2021-63

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED JOSEPH NIECE V. BOROUGH OF CARLSTADT
AT 369 WASHINGTON AVENUE, BLOCK 128, LOT 37 HM
FOR TAX YEARS 2014 THROUGH 2020.**

WHEREAS, Joseph Niece has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 369 Washington Avenue and identified on the Borough's tax maps as Block 128, Lot 37 HM for tax years 2014 through 2019; and

WHEREAS, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax years 2014 through 2016 to be reduced from \$2,101,600 to \$1,875,000.

- 2) The assessment for tax years 2017 through 2019 to remain unchanged.
- 3) The assessment for tax year 2020 to be reduced from \$3,250,000 to \$2,750,000.

RESOLUTION NO. 2021-64

WHEREAS, Richard Kirk, retired employee of the Carlstadt Department of Public 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.

Mayor Zimmermann entertained a motion to approve the Consent Agenda.
On motion by Emerson, seconded by DeBiase, unanimous on call of roll of those present.

CONSIDERATION OF ORDINANCES

FINAL 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)**

Mayor Zimmermann entertained a motion to open this ordinance to a hearing of citizens.
On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.
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 of those present.

RESOLUTION NO. 2021-65

BE IT RESOLVED that the ordinance entitled:

**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 final reading and the Borough Clerk is hereby authorized and directed to publish said ordinance according to law.

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

FINAL 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”**

Mayor Zimmermann entertained a motion to open this ordinance to a hearing of citizens.
On motion by DeBiase, seconded by Emerson, unanimous on call of roll of those present.
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 Emerson, seconded by Lenoy, unanimous on call of roll of those present.

RESOLUTION NO. 2021-66

BE IT RESOLVED that the ordinance entitled:

**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 final reading and the Borough Clerk is hereby authorized and directed to publish said ordinance according to law.

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

FIRST READING

ORDINANCE NO. 21-4

**AN ORDINANCE AMENDING SECTION 2-7A OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED
BOROUGH ADMINISTRATOR**

2-7A. Borough Administrator.

2-7A.1.

Creation of office. Pursuant to N.J.S.A. 40A:9-136, et seq. there is hereby created in and for the Borough of Carlstadt the position of Borough Administrator.

2-7A.2.

Appointment; removal; vacancy.

a. The Borough Administrator shall be appointed by the Mayor, with the advice and consent of the Council, and the term of office of the Borough Administrator shall be for a term of one year or otherwise at the pleasure of the governing body.

b. Any vacancy in said office shall be filled by appointment of the Mayor with the advice and consent of the Council.

c. During the absence or disability of the duly appointed Borough Administrator, the governing body may, by resolution, appoint an officer or regular employee of the Borough to perform the duties of the Borough Administrator during such absence or disability. Such absence or disability shall be limited to three months, after which time such absence or disability may be deemed a vacancy.

d. The Borough Administrator may be removed by a 2/3 vote of the governing body. The resolution of removal shall become effective three months after its adoption by the governing body.

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2-7A.3.

Qualifications; residential requirements.

a. The Borough Administrator shall be chosen on the basis of executive and administrative qualifications, with special reference to education, training and experience in governmental affairs.

b. The Borough Administrator need not reside in the Borough of Carlstadt, but must be a resident of the State of New Jersey. Carlstadt residents should be given preference to the extent possible.

2-7A.4.

Compensation. The Borough Administrator shall receive as salary such sums as may be fixed and adopted by the governing body in the Annual Salary Ordinance of the Borough. All reasonable expenses incurred in the performance of the position shall be reimbursed. The Borough Administrator shall be required to utilize sufficient time as determined by the governing body to provide the services set forth herein.

2-7A.5.

Powers and duties. The Borough Administrator, in addition to the powers and duties hereinafter set forth, shall have the powers and duties prescribed by the laws of the state, the ordinances of the Borough and such other additional powers and duties as may from time to time prescribed or directed by the governing body. Excepted, however, are those powers or duties required by law to be exercised by the governing body itself or by another officer, board or body. The Borough Administrator shall be responsible to the governing body for the proper administration of all the affairs of the Borough and, to that end, shall have the following duties and responsibilities:

a. Together with the Mayor, the Borough Administrator shall serve as principal administrative officer representing the governing body.

b. Supervise and direct the business activities of all Borough departments and offices, in consultation with the respective committee chairman, including the direction of purchasing and, subject to the approval of the governing body, the employment and replacement of personnel as may be required in the departments.

c. Serve as the personnel officer of the Borough, establish and maintain sound personnel practices, maintain appropriate records of all Borough employees, recommend the hiring and

promotion of Borough employees and, when deemed necessary or advisable for the betterment of the Borough, recommend the suspension or discharge of employees.

d. All complaints regarding services or personnel of the Borough shall be referred to the office of the Borough Administrator who shall investigate and dispose of such complaint, keep a written record of such complaint, including when and what action was taken in response thereto, and provide the governing body a copy thereof when requested to do so.

e. Whenever feasible, the governing body and its members shall deal with the administrative employees through the Borough Administrator.

f. At the request of the governing body, inspect the duties and responsibilities of any elected or appointed official and department of the Borough, submitting a report relating thereto to the governing body for such further action as the governing body may deem advisable in such instance.

g. Study the administrative and other operations of the Borough and make recommendations for the plans and programs to meet the needs of the Borough.

h. Together with the Finance Chair, receive from each department, office and board their annual budget requests, reviewing and transmitting same along with comments and recommendations to the governing body.

i. Together with the Finance Chair, consult with the governing body on preparation of the tentative budget, recording changes, additions and deletions thereto and submitting final recommendation in the form required by law, together with an analysis of the various items of expenditure and revenue and such explanatory comments as may be required.

j. Be responsible for the administration of the budget after its adoption by the governing body and the implementation of it and maintain a continuing review and analysis of budget operations, programs and costs of municipal services, subject to the review and input of the CFO.

k. Review, recommend, implement and enforce the financial procedures and policy of the Borough and its departments, after consultation with the appropriate committee chairmen and department heads.

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l. Negotiate contracts for the Borough as authorized by, and subject to, the approval of the governing body.

m. Supervise the performance and faithful execution of Borough contracts except insofar as such duties are expressly imposed upon some other Borough officer or official by statute.

n. Execute and enforce the laws of the state and ordinances and resolutions of the Borough as the governing body may prescribe.

o. Receive notice of all regular and special meetings of the governing body and advisory committees and attend all meetings of the governing body and other committees as directed.

p. Receive copies of all general and official correspondence addressed to the Borough and shall refer same to the appropriate officer or department for disposition and reply.

q. Keep the governing body informed as to the conduct of Borough affairs, submit periodic reports, either in writing or orally, on the condition of the Borough finances, and such other reports, either in writing or orally, as the governing body shall request, and make such recommendations to the governing body as deemed necessary and advisable for the welfare and future needs of the Borough.

r. Perform such other duties as may be required by the governing body in accordance with the law.

2-7A.6.

Limitation of duties. Nothing in this section shall derogate from or authorize the Borough Administrator to exercise the powers and duties of the elected and appointed officials of the Borough.

RESOLUTION NO. 2021-66-A

**AN ORDINANCE AMENDING SECTION 2-7A OF THE REVISED GENERAL
ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED
BOROUGH ADMINISTRATOR**

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 17TH 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 Lenoy, seconded by Emerson, unanimous on call of roll of those present.

NEW & UNFINISHED BUSINESS

Mayor Zimmermann entertained a motion to approve the purchase of fruit baskets for the Borough's Tax Assessor, William Yirce on the passing of his father-in-law and for Councilwoman Suzanne Fonseca.

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

Mayor Zimmermann entertained a motion for Cliffhanger Productions for the Summer Concert Series (seven concerts starting on June 22, 2021.)

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

Mayor Zimmermann asked if anyone had other matters to discuss.

COUNCILMAN JOSEPH EMERSON

He reported progress regarding the Springfest and Recreation.

COUNCILMAN WILLIAM ROSEMAN

He had nothing to discuss at this time.

COUNCILMAN DAVID STOLTZ

He reported progress for the Recycling Committee.

COUNCILWOMAN DIANE DeBIASE

She reported progress for Equipment and Projects Committees.

COUNCILMAN JAMES LENOY

He reported that the Zoning Board meeting of March 10, 2021 was cancelled.

BOROUGH ATTORNEY, JOSEPH DONAHUE

He had nothing to discuss at this time.

BOROUGH CLERK, CLAIRE FOY

She had nothing to discuss at this time.

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JOSEPH CRIFASI, DPW OPERATIONS MANAGER

He discussed the following topics with the Mayor and Council:

1. COVID-19 Relief funds – the Borough will be receiving funds from the State.
 2. Carlstadt Volunteer Ambulance Corp. – the Borough will purchase a LUCAS machine for mechanical chest compressions at a cost of \$15,000.00. Also, per diem personnel will be Carlstadt residents. They will be added to the per diem list and the list will be forwarded to the Mayor and Council.
 3. Open Public Records Act requests – the Borough will no longer waive small fees as a courtesy. A notice will be given to all applicants, as of April 1, 2021, all applicable fees will be collected per Statutory requirements.
 4. COVID-19 testing and vaccination – the Board of Health has hired a company to provide free COVID-19 testing and anti-body testing at the Sun Chemical parking lot. It will be two days a week. The location will also be prepared as a vaccination site once the vaccines are received from the State.
- The Mayor and Council conveyed appreciation to Sun Chemical for their assistance to the Borough.
- Councilman Emerson asked that plans be made to transport seniors to Sun Chemical for testing and/or vaccination. Joseph Crifasi assured him that the Borough has the vehicles and staff to do so if needed.
5. Memorial Day Parade 2021 – The Mayor and Council has to approve the event, which will be planned with COVID-19 CDC and State guidelines in place.
 6. Property on Broad and First Street – the Borough received an invoice from J. Fletcher Creamer for emergency work done on the property. The cost will be billed to the property owner and charged to their property tax bill. However, the invoice has to be paid by the Borough. The matter was tabled for further discussion in Closed Session.
 7. Re-opening of the Civic Center and other Borough recreation facilities – The locations will be re-opened following COVID-19 CDC and State guidelines, including the use of the temperature machine purchased for the Civic Center. The Civic Center also has new air filters. Scheduling, daily cleanings and sanitization after each use/meeting/event, etc. was discussed. A notice will be given to each organization scheduling use of the Civic Center or other recreation areas/locations listing the requirements to use the facilities.

Councilman Emerson suggested a motion to open the Civic Center and other Borough facilities for use with specific COVID-19 guidelines and requirements.

Mayor Zimmermann entertained a motion to open the Civic Center and other Borough facilities as of April 1, 2021.

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

**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 8:10 P.M. On motion by Stoltz, seconded by DeBiase, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to go back to open session at 10:00 P.M. On motion by Emerson, seconded by DeBiase, unanimous on call of roll of those present.

NEW & UNFINISHED BUSINESS

Mayor Zimmermann entertained a motion to replace Linda Kuprat with Gunter Kuprat as Turnverein liason.

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

Mayor Zimmermann entertained a motion to appoint Gunter Kuprat to the 155th Carlstadt School Picnic Committee.

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

Mayor Zimmermann entertained a motion to accept the resignation of JoAnne Ramm, Senior Transportation Driver and a Special Police Officer after twenty and a half years. Her last day is March 31, 2021.

RESOLUTION NO. 2021-66-B

WHEREAS, JoAnne Ramm has advised the Borough of Carlstadt of her intent to retire from the position of Senior Transportation Driver and Special Police Officer, effective April 1, 2021; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the retirement of Senior Transportation Driver and Special Police Officer JoAnne Ramm effective April 1, 2021, be and hereby is accepted.

AND, BE IT FURTHER RESOLVED that consistent with the attached letter dated March 2, 2021, she and her husband have been granted continuation of prescription, eyeglass and dental benefits and have been granted reimbursement for a Medicare Supplement Part B of her choice upon submission of the annual cost thereof.

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

Mayor Zimmermann entertained a motion to authorize the Chief Financial Officer, Domenick Giancaspro, to pay the invoice of J. Fletcher Creamer for the emergency work at Broad and First Street. The amount will be placed on the property owner's tax account.

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

Mayor Zimmermann entertained a motion to accept the Family Leave Act requirements for Jason Dechert, DPW employee. It was noted that it was specific to his particular situation.

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

Mayor Zimmermann entertained a motion to adjourn the meeting at 10:11 P.M. On motion by DeBiase, seconded by Roseman, unanimous on call of roll of those present.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK