

CAUCUS/COUNCIL MEETING

July 21, 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, July 21, 2021 at 7:03 P.M.

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

Joseph Donahue, Borough Attorney was also present.

Council President Roseman led all present in the Pledge of Allegiance to the Flag.

Council President Roseman – 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.

APPROVAL OF MINUTES

Council President Roseman entertained a motion to accept the minutes of 6/15/2021 Caucus/Council Meeting and 7/7/2021 Caucus/Finance Meeting (Open and Closed Sessions.)

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

REPORT OF THE MAYOR

None to be read.

SPECIAL REPORTS

The Construction Official's report was read for the month of June. This report will be filed.

The Borough Clerk's report was read for the month of June. This report will be filed.

The Tax Collector's report was read for the month of June. This report will be filed.

STANDING COMMITTEES

FINANCE – Councilman Emerson said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2021-152

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

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Carlstadt Board of Education	\$ 1,063,866.41
Regional Board of Education	611,012.42
South Bergen Municipal Joint Insurance Fund 3 rd Quarter FY 2021	148,233.00
The Depository Trust Company	
Pay Down of BAN 7/23/21	460,000.00
Interest on BAN 7/23/21	344,000.00
Interest on 2021 Bond Sale 7/23/21	160,000.00
Principle and Interest BAN	8,695,026.38

RESOLUTION NO. 2021-153

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

<u>Date</u>	<u>Ck#</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
6/17/21	502545	Current	Medical	\$ 180,000.00
6/18/21	502546	Current	Suez Water	23.86
6/18/21	502547	Current	AT&T Mobility	382.48
6/18 /21	502548	Current	M&R Foto	118.00
6/21/21	502549	Current	Verizon	199.99
6/21/21	502550	Current	Comcast	21.89
6/21/21	502551	Current	Suez Water	47.70
6/21/21	502552	Current	Great America	425.00
6/22/21	502553	Current	Lowe's	1,117.83
6/23/21	502554	Current	Amazon	82.81
6/23/21	502555	Current	NJMVC	60.00
6/24/21	502556	Current	Medical	470,000.00
6/25/21	502557	Current	MCI	716.06
6/25/21	502558	Current	Comcast	430.39

RESOLUTION NO. 2021-154

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the contract for the **Garden Orchard Recreation Complex Phase I Development** is currently in construction by **Your Way Construction, 404 Coit Street, Irvington, New Jersey 07111** in accordance with the Plans and Specifications, as directed by the Project Engineer. The said construction is hereby accepted for Payment No. 1 in the amount of **One Hundred Eighty-Five Thousand Two Hundred Ninety Dollars and One Cent (\$185,290.01)** is hereby approved.

This Resolution to take effect immediately.

- 1) The assessment for tax years 2017 and 2018 to remain unchanged.
- 2) The assessment for tax year 2019 to be reduced from \$9,581,900 to \$9,210,000.

RESOLUTION NO. 2021-157
A RESOLUTION AUTHORIZING SETTLEMENT
FOR THE BOROUGH OF CARLSTADT

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 123.01, Lot 20 640 Gotham Parkway

- As noted on the Borough Tax Map and owned by Plaintiff, AMB Prologis 2 L.P., Owner.
- The within Resolution relates to the settlement of the pending tax appeal matter entitled AMB Prologis 2 L.P., Owner v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. 003115-2018.
- The proposed settlement terms and conditions related to this matter are as follows:

Prologis 2	B123.01 L 20	640 Gotham	
Tax Year	2018	2019	2020
Assessment		\$2,681,700	\$2,778,100
Ratio	100%	100%	100%
Tax Rate	0.01922	0.01835	0.01775
Settlement	\$2,160,000	\$2,160,000	\$2,778,100
Refund		\$9,573.20	\$0.00
Total Refund	\$9,573.20		

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 & Council 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. 2021-158
A RESOLUTION AUTHORIZING SETTLEMENT
FOR THE BOROUGH OF CARLSTADT

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 123, Lot 26 100 Amor Avenue

- As noted on the Borough Tax Map and owned by Plaintiff, AMB by Prologis USLV Operating Partnership, L.P. v. Borough of Carlstadt.
- The within Resolution relates to the settlement of the pending tax appeal matter entitled AMB by Prologis USLV Operating Partnership, L.P. v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 006801-2013, 000145-2014; 001634-2015, 001978-2016, 002353-2017, 003110-2018, 002565-2019, 004753-2020.
- The proposed settlement terms and conditions related to this matter are as follows:

AMB- B 123 L 26	100 Amor Ave							
Tax Year	2013	2014	2015	2016	2017	2018	2019	2020
Assessment	\$4,600,000	\$4,600,000	\$4,600,000	\$4,600,000	\$5,533,700	\$5,625,900	\$6,062,400	\$6,318,900
Ratio	100%	100.00%	98.32%	91.30%	100.00%	100%	100%	100%
Tax Rate	0.01982	0.01991	0.0207	0.02126	0.01906	0.01922	0.01835	0.01775
Old Settlement	\$4,424,200	\$4,424,200	\$4,349,900	\$4,600,000	\$5,533,700	\$5,625,900	\$6,062,400	\$6,318,900
Refund	\$3,484.36	\$3,500.18	\$5,177.07	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Refund	\$12,161.60							
New Settlement	\$4,357,900	\$4,357,900	\$4,283,600	\$4,600,000	\$5,533,700	\$5,625,900	\$6,062,400	6,318,900
Refund	\$4,798.42	\$4,820.21	\$6,549.48	\$0	\$0	\$0	\$0	\$0
Total Refund	\$16,168.11							

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 & Council 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. 2021-159
A RESOLUTION AUTHORIZING SETTLEMENT
FOR THE BOROUGH OF CARLSTADT

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 99, Lot 2 219 Broad Street

- As noted on the Borough Tax Map and owned by Plaintiff, R & R Realty Co.
- The within Resolution relates to the settlement of the pending tax appeal matter entitled R & R Realty Co. v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No.007915-2020.
- The proposed settlement terms and conditions related to this matter are as follows:

Tax Year	Original Assessment	New Assessment	Reduction	Tax Rate	Refund
2020	\$1,555,400	\$1,300,000	\$255,400	0.01835	\$4,686.59

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 & Council 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. 2021-160

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that permission is granted to the following for the use of facilities on the specified date:

Community Center:

1. Carlstadt PTA – Monday, July 19, 2021 from 6:30 P.M to 9:00 P.M. to have a meeting.
2. WERC Warriors Jr. Football and Cheering – Tuesday, July 20, 2021, from 6:30 P.M. to 8:30 P.M. to have a meeting.
3. Carlstadt Little League – Wednesday, July 21, 2021 from 7:00 P.M. to 10:00 P.M. to have a meeting.
4. Historical Society – Wednesday, July 28, 2021 from 7:00 P.M. to 10:00 P.M. to have a meeting.

RESOLUTION NO. 2021-161

WHEREAS, Hayug LLC trading as Wine Liquor Shop has made application for a person-to-person transfer of Plenary Retail Distribution License #0205-44-010-007 heretofore issued to Wine Shop Inc. trading as Wine Shop for the premises located at 434 Hackensack Street, Carlstadt, N.J. 07072; and

WHEREAS, Hayug LLC has filed with the Mayor and Council written consent of said transfer and the applicant has deposited with the issuing authorities the transfer fees and all other requirements of the Statutes governing the transfer of retail distribution licenses have been complied with and notice of said transfer has been published in the Record in the issues of May 5, 2021 and May 12, 2021 and a reasonable time set for objections, if any to said transfer before transfer is deemed effective.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that Plenary Retail Distribution License #0205-44-010-007 heretofore issued to Wine Shop Inc. be and the same is hereby transferred to Hayug LLC.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to execute the transfer in accordance with the provisions of the State Alcoholic Beverage Control Act.

Council President Roseman entertained a motion to approve the Consent Agenda.

On motion by Emerson, seconded by Lenoy. Council members Stoltz, Lenoy, Emerson and Roseman voted yes. Councilwoman DeBiase voted yes but abstained on Resolution No.2021-152. Councilwoman Fonseca was absent.

CORRESPONDENCE

None to be read.

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STANDING COMMITTEES

POLICE – Councilman Emerson read his report. This report will be filed.

FIRE/ OEM – Councilman Roseman read his reports. These reports will be filed.

PUBLIC WORKS/PUBLIC PROPERTY – Councilman Lenoy reported progress.

PLANNING/BUILDING – Councilman Roseman read his report. This report will be filed.

ZONING – Councilman Lenoy read his reports. These reports will be filed.

HEALTH – In the absence of Councilwoman Fonseca, Councilman Roseman read the report. This report will be filed.

RECREATION – Councilman Emerson read his report. This report will be filed.

BOROUGH EQUIPMENT – Councilwoman DeBiase reported progress.

RECYCLING – Councilman Stoltz read his report. This report will be filed.

PROJECTS – Councilwoman DeBiase reported progress.

HUMAN RESOURCES – In the absence of Councilwoman Fonseca, Councilman DeBiase reported progress.

PROFESSIONAL REPORT

Gregory Polyniak, Borough Engineer 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.

REPORTS OF SPECIAL COMMITTEES

None.

READING OF BILLS

RESOLUTION NO. 2021-162

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

Moody’s Investors Services Inc.	\$	24,000.00
Neglia Engineering Associates		41,401.57
Your Way Construction		185,290.01
Garbarini & Co. P.C. C.P.A.		29,291.25

Beacon Offset Printing Co. LLC	2,039.45
Rogut McCarthy LLC	23,681.89

TRUST ACCOUNT

Richard Cedzidlo	613.00
Treasurer State of New Jersey	6,646.00
Current Account	162,443.21
Monarch Greenhouses	12,500.00
Impressive Printing Inc.	713.05
Neglia Engineering Associates	3,087.25
Community Garden	2,460.00
Richard Cedzidlo	625.00
High Point Utilities	1,000.00

DOG WARDEN TRUST

Tyco Animal Control Services	936.66
NJ Dept. of Health & Senior Services	19.20

CURRENT ACCOUNT

AGGRESSIVE ENERGY LLC	3,634.88
AMAZON CAPITAL SERVICES	1,120.96
AMERICAN PAPER & SUPPLY	810.17
APPRAISAL SYSTEMS INC.	15,600.00
ARAMARK UNIFORM SERVICES	362.84
ARROW ELEVATOR INC.	439.00
ATLANTIC COAST FIBERS	1,636.80
ATLANTIC TACTICAL OF NJ INC	1,600.00
AT&T MOBILITY	382.20
BELLAQUA INC	297.95
BERGEN MUNICIPAL EMPLOYEE	120,339.00
BERGEN CO. UTILITIES AUTHORITY	206,613.00
BERGEN COUNTY CLERK	5,718.93
BOROUGH OF RUTHERFORD	6,755.08
BOROUGH OF E. RUTHERFORD	8,852.37
BRUCE YOUNG	187.17
CARLSTADT BOARD OF EDUCATION	1,063,866.41
CHASEN, LAMPARELLO, MALLON	11,423.85
CINTAS	42.18
CLEAN AIR COMPANY INC	112.60
CLIFFHANGER PRODUCTIONS INC	500.00
COLANERI BROTHERS	769.95
COMCAST	41.03
COMFORTABLE SOLUTION	1,513.00
DAVID LEE CONSULTING LLC	450.00

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DAVID F. CORRIGAN	14,115.50
DENISE OEHLMANN	54.00
DIRECT ENERGY BUSINESS	199.45
DMK APPAREL	483.00
DOLAN CONSULTING GROUP LLC	390.00
DRUMMOND PLUMBING	275.00
EAST COAST EMERGENCY LIGHTING	9.14
E&M AUTO REPAIRS INC	4,162.00
ENVIRONMENTAL RENEWAL L.L.C.	5,620.00
EXPERT SEWER & DRAIN LLC	750.00
THE CHOI LAW GROUP LLC	19,756.25
FIN'S MARINE	1,012.87
FIRE & SAFETY SERVICES	651.99
FUN TIME ENTERTAINMENT	6,100.00
GARBARINI & CO.	875.00
GATES FLAGS AND BANNER INC	125.25
GREATAMERICA FINANCIAL SVCS.	425.00
DOOR WORKS INC	326.40
G.T.B.M. INC	3,568.91
BOROUGH OF HASBROUCK HEIGHTS	3,138.00
HOMETOWN AUTO PARTS	607.53
HUDSON TIRE EXCHANGE	878.68
I.D.A.	67,436.87
IMPRESSIVE PRINTING INC	783.05
INTERNATIONAL ASSOCIATION	145.00
INTERSTATE WASTE SERVICES INC	25,081.74
JEM INDUSTRIAL SERVICES INC.	274.57
JERSEY MAIL SYSTEMS LLC	552.75
JOHN DEGRACE PLUMBING	5,500.00
JOSEPH R. DONAHUE LLC	9,419.16
JP MONZO MUNICIPAL CONSULTING	50.00
KAY PRINTING	408.88
KEEHN POWER PRODUCTS INC.	1,640.32
KORSEN'S CARPET CLEANING	1,423.00
KUIKEN BROTHERS COMPANY INC	136.16
LAW SOFT INC	945.00
LEXISNEXIS RISK SOLUTIONS	42.00
LOWE'S BUSINESS ACCT/GEMB	485.41
MARIO'S LOCKSMITH	554.99
MATERA'S NURSERY	531.95
MEADOWLANDS HARDWARE	1,681.81
MID BERGEN REG. COMMISSION	7,077.00

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MONTANA CONSTRUCTION CORP.	1,610.45
MSI TECHNOLOGIES LLC	3,875.14
MUNICIPAL CLERKS ASSOC. OF NJ	100.00
NATIONAL PEN COMPANY	89.44
NEGLIA ENGINEERING ASSOCIATES	16,578.81
NICK'S TOWING SERVICE	11,663.09
NJ ADVANCE MEDIA	483.60
NJ FIRE EQUIPMENT CO.	512.45
NJ PLANNING OFFICIALS	121.00
NORTHEASTERN ARBORIST SUPPLIES	95.32
NORTH JERSEY MEDIA GROUP INC	1,263.42
NORTHEAST SWEEPERS INC	232.50
OLYMPIC GLOVES & SAFETY CO. INC	479.70
PAC TOOL & SUPPLY CO	117.64
PANORAMA TOURS INC	990.00
PASQUALE & DELEASA LLC	6,150.00
PAYROLL ACCOUNT	16,557.89
P.I.A.	11,831.00
PRESTI, ROSARIO JR., ESQ.	836.70
PROGRESSIVE BRICK CO.	104.96
PSE&G	19,318.08
RAINBOW CLEANERS	210.00
RAPID PUMP & METER SERVICE CO.	301.09
RCM CEBERIO LLC	3,000.00
REDICARE LLC	129.97
REGAL STAMP CO	46.00
REGIONAL BOARD OF EDUCATION	611,012.42
REMINGTON AND VERNICK	800.00
RICHARD S. CEDZIDLO	1,000.00
ROBERT T. REGAN ESQ.	44.40
ROBERT HEALEY	217.39
ROYAL TOUCH HAND CAR WASH CORP	350.00
R.R. DONNELLEY	147.00
SALOMONE REDI MIX LLC	890.00
SCHUMACHER CHEVROLET	67.16
SO. BER. MUNC. JT. INS FD	148,233.00
STAN'S SPORT CENTER	7,125.40
QUALITY AUTO MALL	700.81
STAPLES ADVANTAGE	3,635.03
STROEDECKE, WARREN	900.00
T&R ALARM SYSTEMS INC.	849.14
TRAFFIC SAFETY & EQUIPMENT INC	1,125.00

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TRIOUS INC	3,085.00
TROPICANA HOTEL & CASINO	248.00
UNITED SITE SERVICES	435.00
SUEZ WATER NEW JERSEY	10,653.44
VERIZON	199.99
VERIZON BUSINESS	46.13
VIKING PEST CONTROL	439.00
VIP CAR WASH & LUBE LLC	140.00
WALTER BEESE	60.00
921-PRAXAIR DIST MID-ATLANTIC	197.84
WESTERN PEST SERVICES	840.00
WILDCAT HOOP CLUB	450.00
WILDCO PES	57.00
Y-PERS INC	530.36
MEDICAL BENEFITS ACCT	49,563.16
PSE&G	93.21
VERIZON	1,877.19
MARLIN LEASING CORP	915.36
VERIZON	24.27
CHILDREN AID & FAMILY SERVICE	990.09
VERIZON	892.57
PSE&G	1,114.73
SUEZ WATER NEW JERSEY	73.51
VERIZON	1,338.85
PSE&G	1,814.54
MEDICAL BENEFITS ACCT	94,200.00
ADPP ENTERPRISES INC	659.25
VERIZON	129.99
VERIZON	965.36
PAYROLL ACCOUNT	18,412.23
PAYROLL ACCOUNT	446,486.15
SUEZ WATER NEW JERSEY	2,216.31
SUEZ WATER NEW JERSEY	35.92
MEDICAL BENEFITS ACCT	49,000.00

TOTAL \$ 3,202,742.49

TOTAL BILLS FOR THE MONTH \$ 3,699,490.03

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

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

UNFINISHED BUSINESS

Council President Roseman entertained a motion to approve a \$250.00 donation for the Becton Football and Cheering Wildcats Program. On motion by DeBiase, seconded by Emerson, unanimous on call of roll of those present.

HEARING OF CITIZENS

Council President Roseman entertained a motion to open the floor to a hearing of citizens. On motion by Lenoy, seconded by DeBiase, unanimous on call of roll of those present.

Donald Molzon, 530 Madison Street – he asked the Mayor and Council if it is possible to have the DPW to help cut the grass or loan the equipment at the Seventh Street cemetery until they get a contract with a landscaper company. Council President Roseman said he will speak with the DPW Director regarding the availability.

Council President Roseman entertained a motion to close the hearing of citizens. On motion Lenoy, seconded by DeBiase, unanimous on call of roll of those present.

CONSIDERATION OF ORDINANCES

FINAL READING

ORDINANCE NO. 21-8

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF CARLSTADT, COUNTY OF BERGEN, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID REVISED GENERAL ORDINANCES; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; AND ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE REVISED GENERAL ORDINANCES

Council President Roseman entertained a motion to open the floor to a hearing of citizens for Ordinance No. 21-8.

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

Council President Roseman asked if anyone would like to be heard on this ordinance.

Council President Roseman said to let the record note there was no one that wished to be heard.

Council President Roseman entertained a motion to close the floor to a hearing of citizens.

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

RESOLUTION NO. 2021-163

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE BOROUGH OF CARLSTADT, COUNTY OF BERGEN, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID REVISED GENERAL ORDINANCES; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; AND ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE REVISED GENERAL ORDINANCES

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

Council President Roseman entertained a motion to approve Ordinance No. 21-8. On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

Council President Roseman asked Mr. Charles Smith III, Senior Director of Government and Regulatory Affairs to commence with his presentation on the Hearing for the Comcast Application Renewal at 7:27 P.M.

The below hearing was advertised in The Record on May 27, 2021, July 7, 2021 and July 14, 2021.

BOROUGH OF CARLSTADT, NEW JERSEY, NOTICE OF PUBLIC HEARING TO EVALUATE THE APPLICATION OF COMCAST OF THE MEADOWLANDS, LLC'S APPLICATION FOR RENEWAL OF MUNICIPAL CONSENT

PLEASE TAKE NOTICE that the Borough of Carlstadt, New Jersey will hold a municipal consent hearing on Wednesday July 21, 2021 at 7:30 P.M. in Carlstadt Borough Hall, 500 Madison Street, Carlstadt, New Jersey.

This hearing will be held for the purpose of evaluating the application of Comcast of the Meadowlands, LLC for the renewal of its municipal consent to own, operate, extend, and maintain a cable television and cable communications system in the Borough of Carlstadt and is held in accordance with N.J.S.A. 48:5A-23, and N.J.A.C. 14:18-11.6 and all other applicable statutory and regulatory provisions.

All interested parties are invited to attend and be heard with respect to this application. Copies of the application will be on file with the Borough of Carlstadt Clerk and can be reviewed Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M. at the Borough of Carlstadt Borough Hall.

This notice will be published again between the fourteenth (14th) and seventh (7th) day prior to the hearing.

Mr. Smith read a brief statement on the renewal of the application to operate a cable communication in the Borough of Carlstadt. The application contains certain information regarding the receiving site/head in, system plant and system design. Council President Roseman asked about the cable rates. Mr. Smith said all the details about pricing was included on the application submitted to the Borough. Also, Council President said if they consider FIOS a competitor. Mr. Smith replied yes, they are a big business competitor.

Council President Roseman entertained a motion to open the floor to a hearing of citizens for the Comcast Application Renewal. On motion by DeBiase, seconded by Lenoy, unanimous on call of roll of those present.

Donald Molzon, 530 Madison Street - he asked why Comcast is better than the other competitors. Mr. Smith said they provide better channel lineup, better customer service and better rates.

Council President Roseman said to let the record note there was no one else that wished to be heard. Council President Roseman entertained a motion to close the floor to a hearing of citizens. On motion by Lenoy, seconded by Emerson, 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.

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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.

Council President Roseman entertained a motion to go into closed session at 7:40 P.M. On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

Council President Roseman entertained a motion to go back to open session at 8:10 P.M. On motion by Stoltz, seconded by Lenoy, unanimous on call of roll of those present.

Councilman Emerson mentioned that he invited the Borough CFO and Emergency Responder Heads to discuss a five-year budget plan for each department and what is needed for their operations.

Councilman Emerson called on Thomas Berta, Chief of Police to discuss the Police Department budget and expenses and he mentioned a list of items that was submitted to Councilman Emerson. A lengthy discussion took place between the Council members and the Chief of Police.

Dennis Kronyak, Fire Chief presented his five-year budget and expenses to the Council members and explained what the Fire Department needs are in the immediate future. A lengthy discussion took place on replacing Fire Chief's SUV's.

Sharon Dunn, President of the Carlstadt Volunteer Ambulance Corps. presented her five-year budget of the items that will be needed for EMS and also the difficulties they are having with the man power. A lengthy discussion took place on the need for replacement of an ambulance, radios, LUCAS CPR machine and the need for an SUV.

Hernan Lopez, OEM Coordinator mentioned that this was his first time participating in a budget discussion and said most of the equipment was donated or working with neighboring communities. He also mentioned the equipment that he would like to acquire within the five-year plan which will be submitted to the Mayor and Council. Also, he mentioned the need for a new OEM vehicle.

Gregory Polyniak, Borough Engineer went over of all the projects along with the engineer's fees for the next five-year budget. A lengthy discussion took place on what projects are more important for the Borough to move forward. Also mentioned was the possibility of a dog park which was discussed among the Council members and the Borough Engineer.

Domenick Giancaspro, Borough CFO explained to the Council members where the Borough stands on the budget. He asked the Borough Engineer about some projects and the amount of money needed for those projects and the bonding for the money. He recommended to the Council members to raise the taxes or put money away to fund projects. Council President Roseman mentioned to the Council members and the CFO for next year's budget to save the American Dream money which they owe us and put it into a project fund.

Councilman Emerson thanked everyone for coming and their input on the budget process.

MISCELLANEOUS AND NEW BUSINESS

Council President Roseman entertained a motion to approve the Fire Department to go to Newport, New York with an apparatus. They will leave July 30, 2021 and return August 1, 2021. On motion by DeBiase, Seconded Emerson, unanimous on call of roll of those present.

Council President Roseman entertained a motion to approve the purchase of a TV not to exceed \$1,000.00 for the Community Center. On motion by DeBiase, seconded Stoltz, unanimous on call of roll of those present.

**RESOLUTION NO. 2021-164
BOROUGH OF CARLSTADT**

Bergen County, New Jersey

**A RESOLUTION AUTHORIZING THE RENEWAL OF THE
BOROUGH'S PARTIALLY SELF-FUNDED HEALTH BENEFITS PROGRAM WITH
INSURANCE DESIGN ADMINISTRATORS (IDA)
FOR THE PERIOD 8/1/21 THROUGH 8/1/22**

WHEREAS, the Borough provides medical, prescription and vision benefits through a partially self-funded plan administered by Insurance Design Administrators (IDA), with offices located in Oakland, NJ; and

WHEREAS, due diligence was performed in the renewal process associated with this Program and from the process, the following recommendations are hereby submitted for consideration and subsequent acceptance for favorable action:

STOP LOSS - the Stop Loss Proposal as offered by Sirius America Insurance Company, an A+ rated carrier, as rated by *A.M. Best* (Option II as illustrated on the Comparison & Analysis spreadsheet), has been determined to be most competitive in comparison to the alternate proposals solicited and evaluated by the Health Benefits Consultant and presented to the Borough for review and consideration. Specifically, the Renewal offer represents a contract proposal with the same terms and conditions as the expiring contract (\$75,000 Aggregating Specific with a \$40,000 Corridor, incurred in 24 Months, Paid in 12 Months) at an estimated annual premium of \$699,89, or \$8,348 (1.21%) over the Expiring Premium. The Maximum Program Liability will be \$5,417,179, which represents a decrease in exposure to the Borough of over \$974,000 (or (15.24%) over the Expiring Program;

NETWORK – The CIGNA Network has been analyzed against the AETNA Network and it was determined the In-Network savings could generate improved savings, however, such savings on In-Network claims would be more than offset by the loss in claims savings for Out of Network (OON) claims currently realized through the ZELIS Program for OON claims utilizing the CIGNA Network;

PRESCRIPTION BENEFIT MANAGER (PBM) – Th cost containment and Rebates received from the incumbent Prescription Benefit Manager (PBM), ProAct, coupled with the recently initiated Cost Avoidance Program (CAP) administered through Payer Matrix has reduced claims costs in the current plan year period over the previous plan year, while adding a direct savings in excess of \$179,000 through the Rebates and the CAP Program.

TRANSPARENCY OF FEES – The Renewal Stop Loss Insurance Contract Proposal maintains the \$0 commission framework initiated two (2) years ago, whereby the TPA and Health Benefits Consultant receive No Commission on the Stop Loss Policy, but rather, compensation is paid directly by the Borough to these professionals and thereby provides for full transparency in compensation;

BENEFIT LEVEL ASSURANCE - The Proposal maintains the existing level of benefits in accordance with the contractual requirements promulgated by the various collective bargaining unit agreements within the Borough.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey, that the Stop Loss Renewal Proposal identified on the Medical Benefits Comparison & Analysis prepared by the Borough's Health Benefits Consultant is hereby accepted and adopted with the specific conditions noted herewith above; and

BE IT FURTHER RESOLVED, the contract award for the re-insurance component of the proposal is to a duly licensed and admitted Insurance Company within the State of NJ and therefore, such award is exempt from the requirements set forth by P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51) N.J.S.A.19:44A-20.5 et seq.

BE IT FURTHER RESOLVED, the Borough Administration and Health Benefits Consultant are hereby directed to promulgate the renewal process and documents, thereof; and

BE IT FURTHER RESOLVED, the Renewal Proposal for Third Party Administrative (TPA) Services, offered by Insurance Design Administrators (IDA), at the fee schedule noted and included with the renewal materials is also accepted and directed to the Borough Administration and Health Benefits Consultant for contract review and execution; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough CFO, Borough Auditor, and PIA Security Programs, A Division of World Insurance Associates, LLC, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Health Benefits Consultant to the Borough.

Council President Roseman entertained a motion to approve Resolution No. 2021-164. On motion by Emerson, seconded DeBiase, 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.

Council President Roseman entertained a motion to go into closed session at 9:18 P.M. On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

Council President Roseman entertained a motion to go back to open session at 10:54 P.M. On motion by Stoltz, seconded by Lenoy, unanimous on call of roll of those present.

Council President Roseman made a motion to have an appraisal done on the Turnverein property. On motion by Emerson, seconded by DeBiase, unanimous on call of roll of those present.

Council President Roseman entertained a motion to adjourn the meeting at 11:00 P.M. On motion by Emerson, seconded by DeBiase, unanimous on call of roll of those present.

APPROVED: _____
WILLIAM J. ROSEMAN, COUNCIL PRESIDENT

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK