

CAUCUS/FINANCE MEETING

February 2, 2022

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, February 2, 2022 at 6:10 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, Suzanne Fonseca and Diane DeBiase were present. Councilman William Roseman responded telephonically at 7:30 P.M. Joseph Crifasi, Borough Administrator 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 6, 2022 and the Herald News on January 6, 2022 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.

Mayor Zimmermann read the following notice which was published in The Record on January 27, 2022.

RESCHEDULED MEETING NOTICE

The time for the February 2, 2022 Caucus/Finance Meeting of the Mayor and Council of the Borough of Carlstadt has been changed from 7:00 P.M. to 6:00 P.M. and will be held in the Borough Hall Council Chambers, 500 Madison Street, Carlstadt N.J. 07072.

CONSENT AGENDA

RESOLUTION NO. 2022-45

RESOLUTION TO ADVERTISE FOR BIDS

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

**MONROE STREET IMPROVEMENTS (FROM DIVISION AVENUE TO SUMMIT AVENUE)
(BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED)**

**BOROUGH OF CARLSTADT
BERGEN COUNTY, NEW JERSEY**

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

RESOLUTION NO. 2022-46

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the First Presbyterian Church, 457 Division Avenue, Carlstadt, NJ 07072 be granted permission to hold two raffles at 457 Division Avenue, Carlstadt, NJ 07072 on Saturday and Sunday, February 26 and 27, 2022 for which the applications, fees and finding and determination sheets shall be forwarded to the Legalized Games of Chance Control Commission.

RESOLUTION NO. 2022-47

**RESOLUTION AUTHORIZING EMERGENCY CONTRACT
FOR DRAINAGE REPAIRS/MAINTENANCE ON ROADWAY (JONY DRIVE,
COMMERCIAL AVENUE AND COMMERCE ROAD)**

WHEREAS, an emergency affecting the health, safety and welfare of the general public arose with respect to drainage problems on Roadways (Jony Drive, Commercial Avenue and Commerce Road) due to lines being full of debris, soil and/or overgrown/clogged outfalls; and

WHEREAS, the Borough Engineer evaluated the situation and was of the opinion that the extent of the damage requires necessary emergency repairs to prevent additional drainage issues; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-6 authorizes the awarding of emergency purchases and contracts, without public advertising for bids and bidding therefore, when an emergency effecting health, safety or welfare requires the immediate delivery of the articles or the performance of the services; and

WHEREAS, the cost of the necessary construction equipment, materials and labor to perform the drainage repair/maintenance is estimated at not to exceed \$60,000 and the costs associated with engineering support and construction inspection from Neglia Engineering Associates is estimated at \$7,500 to \$10,000 for total estimated emergency costs of approximately \$70,000; and

WHEREAS, an emergency affecting health, safety or welfare required the immediate action or the performance of the services; and

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

1. The Borough Engineer is hereby authorized to secure the necessary labor and material and to proceed with the repair/maintenance of the drainage problem on Jony Drive; and
2. The Chief Financial Officer is hereby authorized to appropriate a total amount not to exceed \$70,000 for the drainage repair/maintenance and engineering support and construction inspection on an emergency basis as described above; and

3. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract and/or payment to Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, N.J. 07071 in the amount not to exceed \$10,000 to provide engineering support and construction inspection on an emergency basis as described above; and
4. This Contract is awarded without public bidding on an emergency basis in accordance with N.J.S.A. 40A:11-6 of the Local Public Contracts Law because the damaged sewer line had a severe adverse impact on the health, safety and welfare of general public.

RESOLUTION NO. 2022-48

RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO DEFER SCHOOL TAXES

WHEREAS, the local district school tax levy for the 2021-2022 school year is \$12,766,397 and the regional high school tax levy is \$7,332,149.

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 \$6,383,199 and \$3,666,075 not in excess of 50% of 2021-2022 levy.

RESOLUTION NO. 2002-49

GRANTEE AUTHORIZING RESOLUTION

BE IT RESOLVED, that the Mayor and Council of the Borough of Carlstadt wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$ 214,401.00 matching grant award from the 2021 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Garden – Orchard Recreation Complex Phase II: Parking and Playground, located in the Borough of Carlstadt, on the tax maps of the Borough of Carlstadt; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize Mayor Robert J. Zimmermann to be a signatory to the aforesaid Contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about December 15, 2023; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements. Professional Services Costs may be reimbursed from grant award's unexpended balance, should there be a balance.

RESOLUTION NO. 2022-50

WHEREAS, the Borough of Carlstadt (hereinafter, the "Borough") is in need of a Health Benefits Consultant (hereinafter, the HBC), both to oversee the partially Self-Funded Employee Health Benefits Program, as well as to comply with the By-Laws of the Bergen Municipal Employee Benefits Fund (hereinafter, the BMED) for the Employee Dental Benefits Program secured through the BMED for 2022, and

WHEREAS, the Borough of Carlstadt has followed a fair and open process as required by N.J.S.A. 19:44A-20.7 to the extent that a Request for Proposals ("RFP") has been publicly advertised providing sufficient time to provide notice in advance of the award of a contract, and said advertisement solicited proposals or qualifications and disclosed the criteria required by the Borough of Carlstadt, and said proposals were received and publicly opened and announced when awarded; and

WHEREAS, the Certified Finance Officer (CFO) of the Borough has determined the value of the contract will exceed \$17,500, but the position is an exception to the requirements for public bidding under N.J.S.A. 40a:11-5(A)(i) as a Professional Service Contract; and

WHEREAS, PIA Security Programs, a Division of World Insurance Associates, LLC, (hereinafter, the HBC), has submitted a Proposal indicating it will provide Health Benefits Consultant services pursuant to the terms of the proposed Agreement for the position, the terms of which are hereby encompassed in this Resolution as set forth herein); and

WHEREAS, the Borough has determined that it is in the best interest to retain the professional set forth in this Resolution for the period of January 1, 2022 through December 31, 2022 or until a qualified successor has been named; and

WHEREAS, the Borough has reviewed the credentials of the HBC and has found the firm has the requisite professional expertise and experience to best serve the Borough; and

WHEREAS, the HBC will receive as full remuneration, a fee not to exceed \$55,504 annually, which shall also include the amount as stipulated by the Executive Committee of the Fund [Bergen Municipal Employee Benefits Fund], for the Employee Dental Benefits Program.

NOW, BE IT RESOLVED that **PIA Security Programs, a Division of World Insurance Associates, LLC.** is hereby retained as Health Benefits Consultant for the Borough of Carlstadt pursuant to the terms of the Agreements referenced above and which are incorporated herein, and the Mayor and Clerk are hereby authorized to execute said Agreement; and

BE IT FURTHER RESOLVED the Borough Clerk will advertise Public Notice of this appointment in accordance with law, and a copy of the Agreement authorized by this Resolution shall be kept on file with the Borough Clerk and available for inspection.

RESOLUTION NO. 2022-51

WHEREAS, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for the renewal of six (6) 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 six (6) limousine licenses at 800 Central Boulevard, Carlstadt, NJ 07072 be and hereby is approved for Vin #87013, #62719, #67882, #44231, #93552 and #07086.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the renewal of the six (6) limousine licenses at the above referenced location for the period of one year, commencing February 2, 2022 and ending on February 2, 2023 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. 2022-52

WHEREAS, the Borough of Carlstadt is in need of public health services; and

WHEREAS, the Carlstadt Board of Health is required to maintain a program of recognized standards of performance as set forth in the New Jersey Administrative Code, Title 8 – Chapter 52, effective as of February 18, 2003; and

WHEREAS, Holy Name Hospital has proposed a contract to the Borough for the one (1) year period January 1, 2022 through December 31, 2022 for an annual fee of \$7,660.00.

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

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1. The Contract between Holy Name Hospital and the Borough of Carlstadt for the provision of public health services for the period January 1, 2022 to December 31, 2022 for the amount of seven thousand six-hundred sixty (\$7,660.00) dollars be and hereby is approved and authorized.

2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Contract as proposed, a copy of which is attached hereto.

Certification as to the availability of funds:

The CFO/Treasurer hereby certifies that sufficient funds are available to pay the amount of \$7,660.00 in accordance with the terms of the Contract.

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

CORRESPONDENCE

Mayor Zimmermann mentioned we received a letter from the Carlstadt Senior Friendship Club. They are extending an invitation to the Council and their spouses to attend their annual Anniversary Party which will be held on Wednesday, March 23, 2022 at the Fiesta in Wood-Ridge from 12:00 P.M. to 4:00 P.M. They are also requesting the use of the town bus and driver to take members to and from the party. On motion by Fonseca, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Zimmermann mentioned that Claire Foy, Borough Clerk, received an email from Bruce Young, Senior Voice Commander of Post 3149 VFW. He is running the Voice of Democracy and they had three winners - 1st place was Emily Amaya, 2nd place was Samprit Bajracharya and 3rd place was Daniel Chandra.

Mayor Zimmermann entertained a motion to approve the purchase of three plaques for the Voice of Democracy winners. On motion by DeBiase, seconded by Fonseca unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to ratify the voice vote of January 31, 2022.
On motion by DeBiase, seconded by Emerson, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to approve two Special Police Officers for the Special School Election on March 8, 2022 at the Carlstadt Public School.
On motion by Emerson, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to approve him to sign the grant writing proposal from Bruno Associates this year in the amount of \$33,000.00.
On motion by Fonseca, seconded by Lenoy, unanimous on call of roll of those present.

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

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

Mayor Zimmermann asked if any citizen wished to be heard.

Gunter Kuprat, 507 Washington Street – he mentioned that the VFW Commander retired. He took it upon himself to make a plaque which he did at the Aviation Hall of Fame in Teterboro awhile ago and gave it to him. Gunter brought a copy of it to the meeting to show the Mayor and Council.

Mayor Zimmermann asked if any other citizen wished to speak.

Don Molzon, 530 Madison Street – he looked at the resolutions and had a question on two of the resolutions. Resolution No. 2022-45 is for the bids for Monroe Street and No. 2022-52 which is Holy Name Hospital for the Borough of Carlstadt public health services.

His question on Resolution No. 2022-45 for the bid on the street, isn't Monroe Street a County road? If so, why are we going out for bids on a County road? Councilman Stoltz replied that Monroe Street is funded by a grant with the County. The other resolution which is No. 2022-52 has to do with Holy Name Hospital. The resolution according to how it is written says that the contract between Holy Name Hospital and the Borough of Carlstadt is for the provisions of public health services. What does public health services mean? Councilwoman Fonseca replied every year the Board of Health has their meeting in January and usually Hackensack Hospital was the original public health services for the town so they would come to the Senior meetings for taking blood pressure and check the heart rate. They also come and do other events here like mother and child events. They decided to go to Holy Name this year because they had a lot of issues with Hackensack Hospital the previous year as they were not showing up and we were still obligated to pay for the contract. So that is why Holy Name Hospital will be coming to the Senior meetings and for any health-related issues they will come out. Mr. Molzon also mentioned the reason he asked that is there are two elderly ladies who live across the street from him a few houses up, one is ninety-nine and the other is ninety-six. Six or eight months ago one of them fell at night and she wasn't found until the next morning. He found her and called the police. She went into the hospital and came out and went to rehab. Since then, her sister moved in. She fell again a few weeks ago. His problem is that they are always calling him to do something. He doesn't mind doing it but he thinks someone should look out for these two ladies as they need help. They are going to close the door on you and they don't like people coming. They think they are self-sufficient. Councilwoman Fonseca said she is sure we can reach out to Hernan Lopez, OEM Coordinator. Mr. Molzon replied Hernan was there a few weeks ago. They closed the door on him. We decided we would try it again. He went over with someone else from the Borough Hall. Mr. Molzon said he does not know how to handle this. Councilwoman Fonseca said he should be able to contact someone from the nurses division that we have. Perhaps they would consider this a wellness check. This went into a lengthy discussion as to what to do for the two women.

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

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

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**CONSIDERATION OF ORDINANCES
FINAL READING**

ORDINANCE NO. 22-1

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$8,500,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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.
Mayor Zimmermann said to let the record note there is no citizen here that wishes to be heard.
Mayor Zimmermann entertained a motion to close the ordinance to a hearing of citizens.
On motion by Stoltz, seconded by Emerson unanimous on call of roll of those present.

RESOLUTION NO. 2022-53

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$8,500,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Mayor Zimmermann entertained a motion to adopt this bond ordinance. On motion by Emerson, seconded by Lenoy, 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 6:32 P.M.
On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to go back into open session at 9:30 P.M.
On motion by DeBiase, seconded by Emerson, unanimous on call of roll.

Mayor Zimmermann entertained a motion to reappoint Mark Dunn as the Mayor's alternate on the Planning Board to 12/31/22. Karl Ross will stay on the Planning Board. Michael Santangelo is going to be appointed to a regular seat for the unexpired term to 12/31/23 and the vacant Alternate No. 1 will be Frank Stallone Jr. for the unexpired term to 12/31/22. Gunter Kuprat was reappointed to 12/31/2025 and Frank Ficaretola was reappointed as Alternate No. 2 to 12/31/2023.
On motion by DeBiase, seconded by Fonseca, unanimous on call of roll.

Mayor Zimmermann entertained a motion to adjourn the meeting at 9:33 P.M.
On motion by DeBiase, seconded by Emerson, unanimous on call of roll.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK