

CAUCUS/FINANCE MEETING

March 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, March 2, 2022 at 7:07 P.M.

Mayor Robert Zimmermann asked Claire Foy, Borough Clerk to call the roll: Mayor Robert Zimmermann, Council members David Stoltz, James Lenoy, William Roseman, Suzanne Fonseca and Diane DeBiase were present. Councilman Joseph Emerson arrived at 7:16 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.

PROFESSIONAL REPORTS

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.

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

Martin Truscott was introduced who is a licensed planner with Remington & Vernick and who is working with the Borough on affordable housing issues and was in attendance with Richard Allen, Esq.

They were there at the request of Elizabeth MacManus, the Special Master, who is helping to guide the Borough through the process. There was a lengthy discussion regarding the process and Mr. Allen asked the Mayor and Council to review an ordinance which needed to be introduced by title.

CONSIDERATION OF ORDINANCES

FINAL READING

ORDINANCE NO. 22-2

BOROUGH OF CARLSTADT

CALENDAR YEAR 2022 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 the ordinance to a hearing of citizen.

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On motion by Emerson, seconded by Fonseca, 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 is no one here to speak on this ordinance.

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

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

RESOLUTION NO. 2022-80-B

BE IT RESOLVED that the ordinance entitled:

BOROUGH OF CARLSTADT

CALENDAR YEAR 2022

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 Roseman, unanimous on call of roll.

Mayor Zimmermann entertained a motion to carry over Ordinance No. 22-3, the Stormwater Control Ordinance to March 16, 2022. On motion by Stoltz, seconded by Lenoy, unanimous on call of roll.

Mayor Zimmermann entertained a motion to carry over Ordinance No. 22-4, the Salary Ordinance, to March 16, 2022.

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

Mayor Zimmermann entertained a motion to approve the Cliffhanger Contract for the 2022 Summer Concert Series.

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

Mayor Zimmermann entertained a motion to approve two Special Police Officers for the March 8, 2022 Special School Election from 6:00 A.M. to 8:00 P.M.

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

Mayor Zimmermann asked if any citizen wished to be heard.

Mayor Zimmermann said to let the record note there is no citizen here to speak.

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

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

CORRESPONDENCE

Chris Assenheimer, Secretary to the Board of Officers of the Carlstadt Fire Department, mentioned he received a letter of interest for the Fire Official's position from Anthony Silletto III which he has forwarded to us.

Hernan Lopez received a letter from Diana Velez with regards to her upcoming move out of town. She is resigning from the Carlstadt Board of Health.

Mayor Zimmermann entertained a motion to accept her resignation with regrets.

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

Mayor Zimmermann mentioned we have a request from Larry Wood. He is asking to attend the Building Safety Conference as he is a member of the Fire Protection Sub Code Committee. This has been cancelled for the last two years. He is looking to be reimbursed for expenses incurred to attend the conference in May.

Mayor Zimmermann entertained a motion to reimburse Mr. Wood for the expenses to attend the conference.

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

Mayor Zimmermann mentioned we have a letter from Dave Malinowski for permission to attend the class on OPRA for Practitioners on Thursday, May 19, 2022 at the East Rutherford Police Department from 9:00 A.M. to 4:00 P.M. The cost for the one-day class is \$149.00.

Mayor Zimmermann entertained a motion to approve Dave's attendance to this class.

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

Councilman Stoltz said the Mayor and Council is taking an ad for a gold page in the amount of \$200.00 in the Fire Department's Journal for the 150th Anniversary. He is asking for approval for this. Mayor Zimmermann entertained a motion to approve the amount of \$200.00 for the Fire Department booster.

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

**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.

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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 7:40 P.M.

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

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 allow the Deputy Police Chief permission to notify the top four Lieutenant candidates and the top four Sergeant candidates who are set to be promoted on March 16, 2022 at 8:00 P.M. The salary will remain the same until October 1, 2022 except for the individual of the Lieutenant's position. Retro will not be offered.

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

Councilman Emerson mentioned we should also note that seven appeals were received, they were all reviewed and all were responded to in written form. The Mayor and Council rejected/denied all the appeals.

Mayor Zimmermann said we have to take care of Richard Allen's work. Mr. Crifasi said the Housing Administrator that you want to appoint needs to be done.

Mayor Zimmermann entertained a motion to approve Piazza Associates as the Housing Administrator subject to negotiating a contract at a negotiating rate.

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

Mayor Zimmermann entertained a motion to reappoint the Housing Liaison, Joseph Crifasi.

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

Mr. Crifasi mentioned to introduce the Fair Share Housing Ordinance by title only. It doesn't get published. It only gets introduced so Richard Allen can pass out the actual draft copy to everyone before the following meeting. It can be amended by the next meeting.

FIRST READING

ORDINANCE NO. 22-5

AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF CARLSTADT TO IMPLEMENT THE BOROUGH'S AFFORDABLE HOUSING FAIR SHARE PLAN AS APPROVED BY THE SUPERIOR COURT.

RESOLUTION NO. 2022-80-C

BE IT RESOLVED that the ordinance entitled:
AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF CARLSTADT TO IMPLEMENT THE BOROUGH'S AFFORDABLE HOUSING FAIR SHARE PLAN AS APPROVED BY THE SUPERIOR COURT

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 16th day of March, 2022 at 7:00 o'clock P.M. or as soon thereafter as the matter can be reached, at the regular meeting place of the Carlstadt Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be, and she hereby is, authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Mayor Zimmermann entertained a motion to introduce the Fair Share Housing Ordinance and amend as needed.

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

RESOLUTION NO. 2022-80-D
BOROUGH OF CARLSTADT
Bergen County, New Jersey

A RESOLUTION AFFIRMING THE APPROVAL OF WORLD PAYROLL & HR TO PROVIDE PAYROLL AND HUMAN RESOURCE SERVICES FOR THE BOROUGH, EFFECTIVE JULY 1, 2022

WHEREAS, the Borough of Carlstadt, hereinafter the Borough, as a public employer in the State of New Jersey, recognizes the increasing obligations and responsibilities associated with the effective and prudent administration of the Human Resources function integral to the operation of the Municipality: and

WHEREAS, through the ongoing review of municipal operations and oversight, it became apparent to the Mayor and Council and at the advice of the Borough Attorney, the Borough would be best served to outsource the majority of HR functions to a 3rd Party organization that specializes in

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providing these services and by extension, ensures legislative and regulatory compliance for the Borough; and

WHEREAS, retaining the services of a 3rd Party Human Resources Administrator also ensures the accurate and consistent application of rules, requirements and regulatory compliance necessary to maintain a workplace that respects and promotes employee rights, obligations and responsibilities in accordance with federal and State Law, regulations, municipal ordinance and practice and collective bargaining unit compliance; and

WHEREAS, a Proposal from World Payroll & HR was received and fully evaluated and determined to provide the payroll and HR services mutually identified and agreed to be in the best interest of the Municipality and its employees.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey, the proposal presented by World Payroll & HR, a division of World Insurance Associates, LLC and previously accepted, is formally approved by this Resolution, under the terms and conditions contained therein, for a start date of July 1, 2022; and

BE IT FURTHER RESOLVED, the subjective and judgmental nature of the services to be provided render comparative bidding impractical; and,

BE IT FURTHER RESOLVED, this contract is awarded on the merits and abilities of the firm to provide the services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the firm awarded the contract does hereby attest that its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, C.19, affect its eligibility to perform this contract, or will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded.

BE IT FURTHER RESOLVED, Borough Administration is hereby authorized to execute the necessary documentation to effectuate this proposal and subsequent contract upon the passage of the Resolution; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough CFO, Borough Auditor and World Payroll and HR, a division of World Insurance Associates, LLC, 656 Shrewsbury Avenue, Suite 200, Tinton Falls, NJ 07701.

Mayor Zimmermann entertained a motion to engage in a contract with World Payroll & HR and give authorization for the Mayor to sign for July 1, 2022.

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

Councilman Roseman said he forgot to discuss something in closed session and would like to go back into closed session.

Mayor Zimmermann entertained a motion to go back into closed session at 9:36 P.M.

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

Mayor Zimmermann entertained a motion to go back into open session at 9:38 P.M.

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

Mayor Zimmermann entertained a motion to adjourn the meeting at 9:38 P.M.

On motion by Fonseca, seconded by DeBiase, the meeting was unanimously adjourned.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK