

CAUCUS MEETING
August 17, 2022

A REGULAR SCHEDULED CAUCUS 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, August 17, 2022 at 6:03 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, Borough Administrator was also in attendance.

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 meeting notice changes which was posted on the Borough's website and published in The Record on July 19, 2022.

BOROUGH OF CARLSTADT
MEETING NOTICE CHANGES

The August 3, 2022 Caucus/Finance Meeting of the Mayor and Council of the Borough of Carlstadt is cancelled. The time for the Caucus Meeting of the Mayor and Council of the Borough of Carlstadt to be held on August 17, 2022 has been changed from 7:00 P.M. to 6:00 P.M. to be followed by the Council Meeting at 8:00 P.M. in the Borough Hall Council Chambers, 500 Madison Street, Carlstadt N.J. 07072.

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. Mayor Zimmermann asked if anyone had any questions. Councilwoman DeBiase said this relates to the park that had some low spots. Mr. Polyniak replied the issue with respect to that is the pipe was crushed by the contractor as they moved equipment. That was the reason the drainage system was crushed and the water couldn't flow correctly. That is why you saw some low spots there. They will be addressing the pipe and also the low spots at no cost to the Borough.

Councilman Emerson had a question with regards to the recreation complex. Obviously with starting in mid-September, what is going to happen with all of the contractor's equipment? Mr. Polyniak replied they were told by the end of August they have to move all of their equipment at the Garden and Orchard location.

CAUCUS MEETING

August 17, 2022

Page 2

Robert Ceberio of RCM Ceberio, LLC Management Consultants read his report on Carlstadt Economic Development. A copy of his report is on file in the Borough Clerk's office. Mr. Ceberio said it looks like we can sell the Paterson Plank Road property. Mr. Crifasi is handling all the administrative aspects required to have the sale approved. We have met all the statutory requirements that are needed by Carlstadt to show in fact that this property is surplus. The good news is they are purchasing the site as is and they are cleaning up the site. There are significantly a good number of abandoned vehicles and garbage. We are selling the property at \$125,000.00. Mr. Ceberio continued with his report.

CORRESPONDENCE

Mayor Zimmermann mentioned we received a letter from Chris Assenheimer of Bergen Engine Company Number One. He will be attending the NJ State Firemen's Association Convention and Business Meeting on Friday, September 16, 2022 and returning on Saturday, September 17, 2022 in Wildwood, NJ. He is requesting Friday off as a non-vacation day as he will be representing the Carlstadt Fire Department.

Mayor Zimmermann entertained a motion to allow Chris to take that day off as a non-vacation day. On motion by Stoltz, seconded by Emerson, unanimous on call of roll of those present.

HEARING OF CITIZENS

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

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

Mayor Zimmermann asked if any citizen wished to be heard.

Cory Mastbeth, 200 Floral Lane - he said he is here to address 100 Industrial Road because he lives across the street. He said we have a company that is running only in the hours that the original ordinance did not allow you to run. They are having frozen food delivered somewhere between the hours of two to three in the afternoon in trailers. They don't have refrigeration in this building. The trailers sit there sometimes until two or three in the morning. Then they are unloaded and cars roll in at 5:00 A.M. and they are loading these cars outside. This building has a recessed dock in it. The dock was built when Grand Union built the building and trailers back then were only thirty-six feet long and now they are fifty-three feet long. The trailers don't fit in the building and you can't close the doors. In that recessed area with every noise, the fork lift beeper is going off and is echoing in the building. The reefer units are running. They are delivering frozen foods in carts. The reason why they can't take it out of the trailer too early is it will go bad. These guys are not going to sit in their truck without air conditioning on or without the heat on. He asked if anyone knows the clean air act for trucks. The trucks and tractors run under DPF system which is a particular filter. They collect all the soot. That truck has to let that soot out of that filter. Sometimes it's done every two or three hours when it is running. The worst thing is when they idle. He described how the truck lets out the soot. The soot goes out into the air. He said the clean air act is useless because we are still breathing it and we are getting it in smaller particles. The trailers are not governed under the clear air act because they cannot break down. The emissions on a diesel trailer is the same emission that you had in 1970 and 1980 on a diesel engine. We are breathing all of that down there. He also had pictures.

The pictures showed that bright lights are over the top of the roof. This is from the front window of

his house. Those lights are so bright that the blinds don't even help. So now there is a light problem. He said he spoke to the Police Chief a couple of times on the phone and he said he is working on it. He did speak to the Zoning Attorney in front of the Zoning Board. He said what disturbs him as a tax payer is he told him that if he can't sleep at night as he runs heavy equipment for his job, what is going to happen if he can't work. Who is going to pay the bills? The second thing is he told him that there are at least twenty buildings on that block. There are a lot of of landlords, owners or leasers or renters that have found out about this and they are upset. If he can do this at night, they are all going to start. You can't let one do it and not the other. He is still raising a young child who is ill and has fumes coming in his windows all night long. You can't stop them from legally running with frozen food but you shouldn't have it running in a residential area. What is happening is they are not utilizing the warehouse at all. They are taking the food immediately off the trailers and putting it on the dock. Then taking it with the fork lift and picking it up and going up to each car. Those cars are sitting there for two to three hours running until they are loaded. There are so many things wrong that are going on down there.

Councilman Emerson said thank you for giving us this information and now we are informed as to what is going on down there. There are a lot of moving parts in the operation of this business. Based on the information you are giving us and based on ordinances that we are obligated to, we have to be in compliance for everybody in the residency is number one. Mr. Mastbeth had other information with a letter from a tenant who was there from 1988 to 2014. He went into detail regarding this. Other issues were also discussed with the Council members.

Councilman Roseman said he knows the Mayor has requested the resolution that was approved by the Zoning Board. This was not approved here but was by the Zoning Board. We are looking into it to see what violations are there. Mr. Mastbeth said he was told by the Zoning Board because he was allowed to do it in 2014, he is allowed to do it now, which is not true. That building was empty for at least ten years. When time lapses, you lose your right to whatever you were doing even if you were beyond the ordinance.

Mayor Zimmermann said we have the Deputy Chief looking into this matter and we will get on top of this and go from there.

Mayor Zimmermann asked if any other citizen wished to speak.

Mayor Zimmermann said there are no other citizens that wish to be heard.

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

On motion by DeBiase, 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.

CAUCUS MEETING

August 17, 2022

Page 4

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 6:48 P.M.

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

On motion by Roseman, seconded by DeBiase, the meeting went back into open session at 8:02 P.M. and was unanimously adjourned.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK