

**CAUCUS/FINANCE MEETING**  
**March 1, 2023**

**A REGULAR SCHEDULED CAUCUS/FINANCE MEETING** of the Mayor and Council of the Borough of Carlstadt was held in the Caucus Room of the Borough Hall, 500 Madison Street, Carlstadt, New Jersey on Wednesday, March 1, 2023 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, Suzanne Fonseca and Diane DeBiase were present. Councilman William Roseman arrived at 7:15 P.M.

Joseph Donahue, Borough Attorney was 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 13, 2023 and the Herald News on January 13, 2023 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 asked Fire Chief John Harr if he had anything to discuss. He said one of the vehicles should be back tomorrow. Also he found certificates that he thought could be used to give to them when they get sworn in. He mentioned he had surgery on his neck and will be out for awhile because of it. He mentioned church services are coming up on March 12, 2023 at 10:00 A.M. at the First Presbyterian Church. This has not been done in a few years and they are bringing it back. All of you are welcome to attend. There will be refreshments afterwards.

**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. Karl Ross said he did a walk through in Zimmermann's Park and there are a lot of widow makers in there. It has to be addressed. If these come off the live branches that are there, they are going to land. There are some that are already down.

Robert Ceberio of RCM Ceberio, LLC Management Consultants 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.

**CONSENT AGENDA**

**RESOLUTION NO. 2023-86**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Carlstadt that a handicapped parking space is hereby approved at the following locations:

1. 637 Division Avenue
2. 544 Fifth Street (Berry Avenue side)

all in accordance with the requirements as stated in Chapter 10-3.10 and with the recommendation of the Acting Police Chief of the Carlstadt Police Department.

**BE IT FURTHER RESOLVED** that said locations shall be added to the certified list of designated handicapped parking spaces.

**RESOLUTION NO. 2023-87**

**WHEREAS**, The Local Pub, LLC trading as The Local Pub, LLC has made application for a person to person transfer of Plenary Retail Consumption License #0205-33-002-007 heretofore issued to Triple J's Bar & Grill, Inc., trading as The New Maggie's Bar and Grill, Inc. for the premises located at 442 Hackensack Street, Carlstadt, N.J. 07072; and

**WHEREAS**, The Local Pub, LLC has filed with the Mayor and Council written consent of said transfer and the applicants have deposited with the issuing authorities the transfer fees and all other requirements of the Statutes governing the transfer of retail consumption licenses have been complied with and notice of said transfer has been published in the Record in the issues of January 19, 2023 and January 26, 2023 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 Consumption License #0205-33-002-007 heretofore issued to Triple J's Bar & Grill, Inc. be and the same is hereby transferred to The Local Pub, 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.

**RESOLUTION NO. 2023-88**

**WHEREAS**, the Borough of Carlstadt is in need of the services of an Animal Control Officer; and

**WHEREAS**, Bergen County Department of Health Services has proposed an Agreement whereby they will provide Animal Control Services to the Borough for two (2) year period January 1, 2023 to December 31, 2024 for a total fee of \$19,562.04.

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

1. The Contract between Bergen County Department of Health Services and the Borough of Carlstadt for provision of Animal Control Services for the period January 1, 2023 to December 31, 2024 for the amount of Nineteen Thousand Five-Hundred Sixty-Two Dollars and Four Cents (\$19,562.04) be and hereby is approved and authorized.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the Agreement 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 \$19,562.04 in accordance with the terms of the contract.

**RESOLUTION NO. 2023-89**

**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 II & III Development (BCOS Funded)** has been completed by **Union Paving & Construction Co., Inc., 1140 Globe Avenue, Mountainside, NJ 07902** in accordance with the Plans and Specifications, as directed by the Project Engineer. The said construction is hereby accepted for Payment No. 5 in the amount of **One Million Five Hundred Forty-One Thousand, Four Hundred Sixty Dollars and Sixty-Eight Cents (\$1,541,460.68)** is hereby approved.

**RESOLUTION NO. 2023-90**

**AWARD OF CONTRACT**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of Neglia Engineering Associates that the Contract for:

**Various Parking Lot Improvements (Municipally Funded)**

**Small Street Road Improvements (CDBG Funded) & Various Parking Lot Improvements (Municipally Funded)**

be awarded to D&L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, NJ 07110 for the bid amount of Two Hundred Fifty-Four Thousand Nine Hundred Thirty-Five Dollars and Ninety-Five Cents (\$254,935.95) which represents the Base Bid B and being the lowest of seven bids submitted. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

**RESOLUTION NO. 2023-91**  
**AWARD OF CONTRACT**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of Neglia Engineering Associates that the Contract for:

**Small Street (CDBG Funded)**

**Small Street Road Improvements (CDBG Funded) & Various Parking Lot Improvements  
(Municipally Funded)**

be awarded to D.L.S. Contracting, Inc., 36 Montesano Road, Fairfield, NJ 07004 for the bid amount of Three Hundred Forty-Three Thousand Three Hundred Seven Dollars and Sixty Cents (\$343,307.60) which represents the Base Bid A and being the lowest of seven bids submitted. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

**RESOLUTION NO. 2023-92**  
**AGREEMENT FOR PROFESSIONAL SERVICES**

**WHEREAS**, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for the Touchless Fixtures (Bergen County Community Development Block Grant Funded – COVID) at the Borough Police and Fire Houses project; and

**WHEREAS**, the Agreement for Professional Services includes a lump sum cost of \$19,870.00 representing design, contract documents preparation, and bidding costs and includes a not to exceed cost to be invoiced on a time basis (schedule in contract) of \$4,990.00 representing Construction Management Services; and

**WHEREAS**, the CFO has certified that these funds have been appropriately budgeted for; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services for the project for Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey.

Mayor Zimmermann entertained a motion to approve the Consent Agenda. On motion by DeBiase, seconded by Stoltz, unanimous on call of roll of those present. Councilman Stoltz abstained on Resolution No. 2023-92.

**APPROVAL OF MINUTES**

Mayor Zimmermann entertained a motion to approve the minutes of 12/7/22, Caucus/Finance Meeting. On motion by Emerson, seconded by DeBiase, unanimous on call of those present.

Mayor Zimmermann entertained a motion to ratify a fruit basket for Donald Molzon and a dish garden for Mayor Zimmermann's family. He thanked everyone for everything and for their thoughts and condolences. On motion by Stoltz, seconded by Fonseca, unanimous on call of roll of those present.

### **CORRESPONDENCE**

Mayor Zimmermann mentioned the Becton Softball and Baseball Diamond Club will be hosting a comedy night/tricky tray with raffles and prizes on March 24, 2023. They are seeking a donation for the Becton Baseball and Softball Diamond Club.

Mayor Zimmermann entertained a motion to approve a \$250.00 donation. On motion by Emerson, seconded by Fonseca, unanimous on call of roll of those present.

Mayor Zimmerman mentioned we received correspondence from Acting Chief Thomas Cox on the resignation letter from Special Police Officer Mark Dunn Jr. Chief Cox would like to thank Special Officer Dunn for his service to the Borough of Carlstadt and the Carlstadt Police Department.

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

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

Mayor Zimmermann mentioned correspondence from Christopher Assenheimer, Secretary-Board of Officers addressed a letter to Fire Commissioner David Stoltz stating the Board of Officers of the Carlstadt Fire Department has approved Dennis Monks to be appointed as a part-time fire inspector.

Mayor Zimmermann entertained a motion to appoint Dennis Monks to this position.

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

Mayor Zimmermann asked if any citizen wished to be heard.

Donald Molzon, 530 Madison Street – he said you all expect me being here that I have a problem. I don't have a problem. I am here tonight to express my gratitude for the love and support to my family over the past two weeks from the town. It is hard when you lose a spouse or loved one or children. It makes it a little more comforting that people support you. My family and I have received so much love from the Borough of Carlstadt. It was overwhelming and it is still carrying on at this time.

He thanked the Mayor and Council for the fruit basket he received. I don't know if people know this but Loretta and I were known in Carlstadt as a couple who walked holding hands. That is who we were. It was a pleasure and comfort to have the opportunity to walk hand in hand. We met life's changes and challenges and side by side we shared our most precious dreams and we made a beautiful family as well as a loving and lasting partnership. Last by not least I don't know who to thank. Acting Chief Thomas Cox's people were there. Audrey Kimak, funeral director mentioned I would be getting a police escort. I thought around town, past the house and down Rt. 17. It didn't end there. They closed all of Rt. 17 down to Paramus.

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There was a motorcycle wherever it was needed. It was simply amazing. I was in awe. After the repass, all of his family asked who do you know. He thanked everyone for their support and love. It was greatly appreciated.

Gunter Kuprat, 507 Washington Street – he thanked the Mayor and Council for planting a pine tree at the monument. He was there when they put it in. Whoever the supervisor was who did it, they worked like a well-oiled machine. Everyone knew what they were doing. He has never seen anything like it. He said this year in September we are having our Steuben Parade in New York City and we will march with Carlstadt. He is asking for the bus again and a driver. The date will be September 16, 2023. We had a VFW meeting last month. The commander, Bruce Young, was not there as he was sick. Frank Schmidt held the meeting. Something came up which bothered all of us. You have a calendar and there is not one picture about the VFW. Mr. Kuprat had to sign for a bond. He had a question about buying bonds and how it works. Mayor Zimmermann said we can ask our CFO on this matter.

Mayor Zimmerman asked if any other citizen wished to speak.

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

On motion by Roseman, seconded by DeBiase, 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.

**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 7:25 P.M. On motion by on Fonseca, seconded by Emerson, unanimous on call of roll.

The meeting went back into open session at 7:40 P.M. On motion by Emerson, seconded by Fonseca, unanimous on call of roll.

Brian Scurti, owner of Upper Echelons Dispensary, gave a cannabis presentation. Joseph Oluwo is also an owner and handed out pamphlets of their business.

They would like to have a retail store in Carlstadt. It will be on a high-end scale with security and cameras on the property. Council woman Fonseca asked if they have any location in particular where they want to locate. Mayor Zimmermann said that the South bound lane on Route 17 is not available. Route 17 North is acceptable. Mayor Zimmermann asked if they want to open a dispensary first and then go to the cultivating. They said yes to that. It will be recreational not medical. It was also mentioned they are also looking into the Rutherford area but want to be in Carlstadt too.

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Mayor Zimmermann entertained a motion to go into closed session at 7:55 P.M. On motion by Roseman, seconded by Emerson, unanimous on call of roll.

The meeting went back into open session at 9:36 P.M. On motion by Fonseca, seconded by Roseman, unanimous on call of roll.

Mayor Zimmermann entertained a motion to accept the resignation of John Sanzari from the DPW with regrets as of March 10, 2023. On motion by Fonseca, seconded by Roseman, unanimous on call of roll.

Mayor Zimmermann entertained a motion to accept Anthony Hirujo's resignation effective April 1, 2023. On motion by Roseman, seconded by Fonseca, unanimous on call of roll.

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Mayor Zimmermann entertained a motion to reaffirm Donald Pomponio as Communications Officer at a \$15,000.00 a year stipend. On motion by Roseman, seconded by Stoltz and make sure if he has any back pay that he gets it, unanimous on call of roll.

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Mayor Zimmermann entertained a motion to go into closed session at 9:40 P.M. On motion by Roseman, seconded by Fonseca, unanimous on call of roll.

The meeting went back into open session at 10:00 P.M. On motion by DeBiase, seconded by Roseman, unanimous on call of roll.

Mayor Zimmermann entertained a motion to adjourn the meeting at 10:00 P.M. On motion by DeBiase, seconded by Roseman, unanimous on call of roll.

APPROVED: \_\_\_\_\_  
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: \_\_\_\_\_  
CLAIRE FOY, BOROUGH CLERK