

CAUCUS MEETING
April 26, 2023

A REGULAR SCHEDULED CAUCUS 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, April 26, 2023 at 7:07 P.M.

Mayor Robert Zimmermann asked Claire Foy, Borough Clerk to call the roll: Mayor Robert Zimmermann, Councilmembers David Stoltz, Joseph Emerson, Suzanne Fonseca and Diane DeBiase were present. Councilman William Roseman arrived at 7:20 P.M. and Councilman James Lenoy was absent.

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 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 read the following notice which was published in The Record on April 16, 2023.

Borough of Carlstadt
Rescheduled Meeting Notice

The April 19, 2023 Caucus Meeting at 7:00 P.M. and the Council Meeting at 8:00 P.M. is rescheduled to Wednesday, April 26, 2023 in the Borough Hall Caucus Room and Council Chambers, 500 Madison Street, Carlstadt, NJ 07072.

Linda Kuprat, 742 Eighth Street was in attendance. She is a member of the Carlstadt Chorus at the Carlstadt Turn Hall. She handed out fliers regarding a Spring Music Festival on May 7, 2023 at the Turn Hall.

Mayor Zimmermann said a representative from Best Budz is here to see if you have any questions or if a decision has been made regarding having a cannabis dispensary in Carlstadt.

Joseph Crifasi replied we are going to have an ordinance introduced by June and have consulted our Borough Attorney. It will be on the Mayor and Council's desk the first or second week in June. It will be official in July. The Review Board, Zoning Board and Planning Board will also go over everything for completion of background checks. The Review Board will recommend some, all or none to the Mayor and Council.

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

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the Borough Clerk's office.

**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 this 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 7:24 P.M.

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

On motion by Fonseca, seconded by Emerson, the meeting was unanimously adjourned at 8:00 P.M

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK

COUNCIL MEETING
April 26, 2023

A REGULAR SCHEDULED 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, April 26, 2023 at 8:03 P.M.

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

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 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 read the following notice which was published in The Record on April 16, 2023.

Borough of Carlstadt
Rescheduled Meeting Notice

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Mayor Zimmermann entertained a motion to suspend the regular order of business to have two presentations. On motion by Fonseca, seconded by Emerson, unanimous on call of roll of those present.

Robert Orr, Jr. a former member of Ladder One presented a check to the Fire Department on behalf of the Robert E. & Marie Orr Smith Foundation. The Carlstadt Fire Department Chief Harr said this \$15,000.00 donation will help the department fund tablets for each apparatus and will provide us with the necessary information when we respond to emergencies. Mayor Zimmermann thanked Robert Orr, Jr. and the foundation for the generous donation to our first responders.

Frank Schmidt from the VFW mentioned that they purchased ten flags and would like to donate one to the Borough.

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Mayor Zimmermann entertained a motion to go back to regular business. On motion by DeBiase, seconded by Emerson, unanimous on call of roll of those present.

APPROVAL OF MINUTES

Mayor Zimmermann entertained a motion to accept the minutes of the 3/1/2023 Caucus/Finance Meeting and 3/15/2023 Caucus and Council Meetings (Open and Closed Sessions).

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

CORRESPONDENCE

A letter of retirement was received from John Wejsa, part-time Special Police Officer effective immediately. Mayor Zimmermann entertained a motion accepting the retirement of John Wejsa.

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

Also, a letter of resignation was received from Mark Sadonis, Sub-Code Official/Building Inspector, effective April 30, 2023. Mayor Zimmermann entertained a motion accepting the resignation with regrets. On motion by Emerson, seconded by Fonseca, unanimous on call of roll of those present.

A letter was received from James Ross requesting the closure of the 600 block of Jefferson Street for a birthday party on May 6, 2023 from 12:00 P.M. to 8:00 P.M. Mayor Zimmermann entertained a motion to allow the closure of the 600 block of Jefferson Street on May 6, 2023 from 12:00 P.M. to 8:00 P.M. On motion by Fonseca, seconded by DeBiase, unanimous on call of roll of those present.

REPORT OF THE MAYOR

None.

SPECIAL REPORTS

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

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

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

STANDING COMMITTEES

FINANCE – Councilman Emerson said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2023-111

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 this property tax appeal matter as follows:

- **Block 126, Lot 70HM 685 Gotham Parkway**
- The property is owned by Plaintiff, Jerry L. Ivy.

- The within Resolution relates to the settlement of the pending tax appeal matter entitled Jerry L. Ivy (Revocable Trust)/Edward J. Ivy v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 006839-2012; 003389-2013; 003576-2014; 000806-2016; 003053-2017; 001900-2018; 001521-2019; 005410-2020; 004856-2021; 004893-2022.
- The proposed settlement terms and conditions related to this matter reflect a refund of \$36,767.01.
- Refund payment to be made within ninety (90) days of the Tax Court judgment.

WHEREAS, it is in the best interest of the Borough to approve the proposed settlement to avoid the cost and uncertainty of litigation; and

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. 2023-112

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 this property tax appeal matter as follows:

Block 127, Lot 7.01 65 Commerce Rd

The property is owned by Plaintiff, 65 Commerce Road LLC.

The within Resolution relates to the settlement of the pending tax appeal matter entitled 65 Commerce Road LLC v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 006729-2018; 001515-2019;005395-2020; 004744-2021.

The proposed settlement terms and conditions related to this matter reflect a refund of \$5,714.11.

Refund payment to be made within ninety (90) days of the Tax Court judgment.

WHEREAS, it is in the best interest of the Borough to approve the proposed settlement to avoid the cost and uncertainty of litigation; and

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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. 2023-113
RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED JOMIKE CORP., J. KINDERGAN V. BOROUGH OF CARLSTADT
AT 513 & 523 WASHINGTON AVENUE, BLOCK 128 LOT 32 & BLOCK 128.01 LOT 1
FOR TAX YEARS 2017 THROUGH 2022.

WHEREAS, Jomike Corp., J. Kindergan has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 513 & 523 Washington Avenue and identified on the Borough's tax maps as Block 128 Lot 32 & Block 128.01 Lot 1 for tax years 2017 through 2022; and

WHEREAS, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

For 513 Washington Avenue (Block 128 Lot 32)

- 1) The assessment for tax year 2017 to be reduced from \$3,258,800 to \$2,860,350.
- 2) The assessment for tax year 2018 to be reduced from \$3,313,100 to \$2,862,200.
- 3) The assessment for tax year 2019 to be reduced from \$3,332,200 to \$2,827,100.

- 4) The assessment for tax year 2020 to be reduced from \$3,457,200 to \$3,282,450.
- 5) The assessment for tax year 2021 to be reduced from \$3,508,000 to \$3,283,650.

For 523 Washington Avenue (Block 128.01 Lot 1)

- 1) The assessment for tax year 2017 to be reduced from \$3,038,100 to \$2,639,650.
- 2) The assessment for tax year 2018 to be reduced from \$3,088,700 to \$2,637,800.
- 3) The assessment for tax year 2019 to be reduced from \$3,178,000 to \$2,672,900.
- 4) The assessment for tax year 2020 to be reduced from \$3,292,300 to \$3,117,550.
- 5) The assessment for tax year 2021 to be reduced from \$3,340,700 to \$3,116,350.

Plaintiff to withdraw tax appeal for tax year 2022 on both lots.

RESOLUTION NO. 2023-114

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED KW HOLDINGS LLC V. BOROUGH OF CARLSTADT
AT 625 GOTHAM PARKWAY, BLOCK 126, LOT 66
FOR TAX YEARS 2017 THROUGH 2022.**

WHEREAS, KW Holdings LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 625 Gotham Parkway and identified on the Borough's tax maps as Block 126, Lot 66 for tax years 2017 through 2022; and

WHEREAS, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax years 2017, 2018 & 2022 to remain unchanged.
- 2) The assessment for tax year 2019 to be reduced from \$3,143,600 to \$3,000,000.
- 3) The assessment for tax year 2020 to be reduced from \$3,315,100 to \$3,000,000.
- 4) The assessment for tax year 2021 to be reduced from \$3,363,800 to \$3,000,000.

RESOLUTION NO. 2023-115
RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED MIJACK CORP. C/O KINDERGAN V. BOROUGH OF CARLSTADT
AT WASHINGTON AVENUE, BLOCK 128, LOT 31
FOR TAX YEARS 2017 THROUGH 2022.

WHEREAS, Mijack Corp. c/o Kindergan has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at Washington Avenue and identified on the Borough's tax maps as Block 128, Lot 31 for tax years 2017 through 2022; and

WHEREAS, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2017 to be reduced from \$5,584,800 to \$5,100,000.
- 2) The assessment for tax year 2018 to be reduced from \$5,677,800 to \$5,100,000.
- 3) The assessment for tax year 2019 to be reduced from \$5,710,500 to \$5,100,000.
- 4) The tax appeals for tax years 2020, 2021 and 2022 to be withdrawn by plaintiff.

RESOLUTION NO. 2023-116

WHEREAS, Corelogic paid the second (May) quarter 2016 property taxes on 309 Sixth Street, Carlstadt, New Jersey 07072 Block 78 Lot 11 in the amount of \$ 1,589.76; and

WHEREAS, Scott & Melissa Tronziger own the property at 309 Sixth Street, Carlstadt, New Jersey 07072 Block 78 Lot 11 and refinanced said property during the second quarter (May) 2016 during which time the second quarter (May) 2016 was paid by the refinance company creating a double payment in the amount of \$1,589.76.

WHEREAS, audit/research was done showing the double payment; and

WHEREAS, Scott & Melissa Tronziger have requested a refund of the overpayment.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that a refund in the amount of \$ 1,589.76 is hereby approved and the Tax Collector shall adjust his books accordingly.

The check shall be made payable to Scott and Melissa Tronziger and mailed to:

Scott & Melissa Tronziger
309 Sixth Street
Carlstadt, NJ 07072

RESOLUTION NO. 2023-117

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 this property tax appeal matter as follows:

- **Block 126, Lot 51 90 Commerce Rd**

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- The property is owned by Plaintiff, KIC Management Inc.
- The within Resolution relates to the settlement of the pending tax appeal matter entitled KIC Management Inc. v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 006733-2018; 001522-2019; 005412-2020; 004748-2021; 004894-2022.
- The proposed settlement terms and conditions related to this matter reflect a refund of \$8,151.20
- Refund payment to be made within ninety (90) days of the Tax Court judgment.

WHEREAS, it is in the best interest of the Borough to approve the proposed settlement to avoid the cost and uncertainty of litigation; and

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. 2023-118

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of MG Whitehouse LP for property located at 575 Gotham Parkway, Block 126 Lot 69 as per Docket No. 003818-2017 dated 3/13/2023 reducing the 2017 property tax assessment from \$ 3,520,400.00 to \$3,250,000.00 and as per Docket No. 002438-2018 dated 3/13/2023 reducing the 2018 property tax assessment from \$3,579,000.00 to \$3,250,000.00 and as per Docket No. 002846-2019 dated 3/13/2023 reducing the 2019 property tax assessment from \$4,034,700.00 to \$3,750,000.00; and

WHEREAS, the reduction in the 2017 property tax assessment is \$270,400.00 or \$5,153.82 in 2018 property tax and the reduction in the 2018 property tax assessment is \$329,000.00 or \$6,323.38 in 2018 property tax and the reduction in the 2019 property tax assessment is \$284,700.00 or \$5,224.25 in 2019 property tax.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize a refund of \$16,701.45 and the Tax Collector shall adjust his books accordingly. (2017: \$5,153.85; 2018: \$6,323.38; 2019: \$5,224.25)

It is noted that the Borough's Finance Officer has reviewed this Tax Appeal Settlement and certifies that the Appeal is genuine and that funds are available for payment. It is also noted that Tax Appeal Attorney Ken Porro, Esq. has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt and that the Carlstadt Borough Attorney Joseph Donahue, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to:
Valerie Hofer, Esq. Trust Account

and the payment shall be mailed to:

The Law Office of Valerie Hofer, Esq.
Attn: Valerie Hofer, Esq.
P.O. Box 787
Montville, New Jersey 07045

RESOLUTION NO. NO. 2023-119

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 625 Washington Avenue, Corp. NJ Corp., for property located at 625 Washington Avenue Block 130 Lot 5 as per Docket No. 007583-2017 dated 3/22/2023 reducing the 2017 property tax assessment from \$3,209,700.00 to \$3,100,000.00 and as per Docket No. 001894-2018 dated 3/22/2023 reducing the 2018 property tax assessment from \$3,263,200.00 to \$3,100,000.00; and

WHEREAS, the reduction in the 2017 property tax assessment is \$109,700.00 or \$2,090.88 in 2017 property tax and the reduction in the 2018 property tax assessment is \$163,200.00 or \$3,136.70.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize a refund of \$5,227.58 and the Tax Collector shall adjust his books accordingly (2017: \$2,090.88; 2018: \$3,136.70).

It is noted that the Borough's Finance Officer has reviewed this Tax Appeal Settlement and certifies that the Appeal is genuine and that funds are available for payment. It is also noted that Tax Appeal Attorney Ken Porro, Esq. has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt and that the Carlstadt Borough Attorney Joseph Donahue, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to:
"Wolf Vespasiano LLC Attorney Trust Account and 625 Washington Avenue, Corp. NJ Corp."

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and the payment shall be mailed to:

Wolf Vespasiano, LLC
331 Main Street
Chatham, New Jersey 07928

RESOLUTION NO. 2023-120

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Washington East Realty, LLC for property located at 655 Washington Avenue, Block 130 Lot 12 as per Docket No. 013348-2017 dated 3/21/2023 reducing the 2017 property tax assessment from \$490,500.00 to \$390,500.00; and

WHEREAS, the reduction in the 2017 property tax assessment is \$100,000.00 or \$1,906.00 in 2017 property tax.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize a refund of \$1,906.00 and the Tax Collector shall adjust his books accordingly.

It is noted that the Borough's Finance Officer has reviewed this Tax Appeal Settlement and certifies that the Appeal is genuine and that funds are available for payment. It is also noted that Tax Appeal Attorney Ken Porro, Esq. has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt and that the Carlstadt Borough Attorney Joseph Donahue, Esq. has reviewed this Resolution and finds it to be satisfactory and legal. In addition, the Auditor for the Borough of Carlstadt has reviewed the calculations and finds them to be true.

The refund shall be made payable to:
Spiotti & Associates, PC

and the payment shall be mailed to:
Spiotti & Associates, PC
612 Godwin Avenue
Midland Park, New Jersey 07432

RESOLUTION NO. 2023-121

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal for property located at 5 Empire Boulevard, Block 131.01 Lot 7 as per Docket No. 007037-2017 dated 3/31/2023 reducing the 2017 property tax assessment from \$10,780,300.00 to \$10,000,000.00 and as per Docket No. 001818-2018 dated 3/31/2023 reducing the 2018 property tax assessment from \$10,960,000.00 to \$10,250,000.00 and as per Docket No. 005408-2019 dated 3/31/2023 reducing the 2019 property tax assessment from \$11,150,100.00 to \$10,750,000.00; and

WHEREAS, the reduction in the 2017 property tax assessment is \$780,300.00 or \$14,872.52 in 2017 property tax and the reduction in 2018 property tax assessment is \$710,000.00 or \$13,646.20 in 2018 property tax and the reduction in the 2019 property tax assessment is \$400,100.00 or \$7,341.84 in 2019 property tax.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize a refund of \$35,860.56 and the Tax Collector shall adjust his books accordingly. (2017: \$14,872.52; 2018: \$13,646.20; 2019: \$7,341.84).

It is noted that the Borough's Finance Officer has reviewed this Tax Appeal Settlement and certifies that the Appeal is genuine and that funds are available for payment. It is also noted that Tax Appeal Attorney Ken Porro, Esq. has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt and that the Carlstadt Borough Attorney Joseph Donahue, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to:

"Michael I. Schneck, Trustee for 5 EMPIRE BLVD., LLC"

the payment shall be mailed to:

Schneck Law Group, LLC

23 Vreeland Avenue

Suite 270

Florham Park, New Jersey 07932

RESOLUTION NO. 2023-122

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of for property located at 212 Washington Avenue, Carlstadt, New Jersey for Block 126 Lot 42 as per Docket No. 002986-2018 dated 3/16/2023 reducing the 2018 property tax assessment from \$1,271,200.00 to \$1,090,000.00; and

WHEREAS, the reduction in the 2018 property tax assessment is \$191,200.00 or \$3,674.87 in 2018 property tax.

The parties having agreed that there has been no change in value or municipal wide revaluation, or reassessment adopted for the tax year 2019 (Freeze Act year) the provisions of **N.J.S.A.54:51A-8** (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year.

No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year 2020.

The reduction in the 2019 property tax assessment is \$191,200.00 or \$3,508.52 in 2019 property tax.

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NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that a refund of \$7,183.39 is authorized and the Tax Collector shall adjust his books accordingly. (2018: \$3,674.87, 2019: \$3,508.52).

It is noted that the Borough's Finance Office has reviewed this Tax Appeal Settlement and certifies that the Appeal is genuine and that funds are available for payment. It is also noted that the Borough's Tax Appeal Attorney, Kenneth Porro, Esq. has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt and that the Carlstadt Borough Attorney Joseph Donahue, Esq. has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to:
Washington Avenue Realty Holdings, LLC

and shall be mailed to:
Zipp & Tannenbaum, LLC
Attn.: Joseph G. Buro
280 Raritan Center Parkway
Edison, New Jersey 08837

RESOLUTION NO. 2023-123
PROJECT AWARD
LINDBERGH FIELD BATTING CAGE CONSTRUCTION

WHEREAS, Fox Fence Enterprises, Inc., 417 Crooks Avenue, Clifton, New Jersey is a New Jersey Cooperative Purchasing Alliance #CK04 and #11BECCP for Fencing: Furnish, Deliver and Install per Bergen County Bid 22-66 Cooperative; and

WHEREAS, Neglia Group and the Borough of Carlstadt solicited a quote for batting cage at Lindbergh Field in the Borough (see attached); and

WHEREAS, Fox Fencing Enterprises, Inc. provided a quote to furnish and install the batting cage in the amount of \$22,121.00 (see attached); 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 for the project for Fox Fence Enterprises, Inc., 417 Crooks Avenue, Clifton, New Jersey.

RESOLUTION NO. 2023-124

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

Carlstadt Board of Education	\$1,072,863.92
Regional Board of Education	566,224.58
County of Bergen 2 nd Quarter of Taxes	1,546,630.00
County Open Space Trust Fund	64,272.50
South Bergen Municipal Joint Insurance Fund 2 nd Quarter	171,841.00

RESOLUTION NO. 2023-125
**RESOLUTION AUTHORIZING THE BOROUGH OF CARLSTADT TO SUBMIT A
GRANT APPLICATION TO THE 2023 BERGEN COUNTY OPEN SPACE TRUST
FUND FOR MUNICIPAL PARK IMPROVEMENTS**

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”) provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and

WHEREAS, the Borough of Carlstadt desires to further the public interest by obtaining a matching grant of approximately \$225,963 from the County Trust Fund to fund Second Street Park Improvements; and

WHEREAS, the Mayor and Council of the Borough of Carlstadt has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the Mayor and Council of the Borough of Carlstadt will hold the required Public Hearing to receive public comments on the proposed park improvements in the application on May 3, 2023; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

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WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 12th, 2023, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council have, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the Mayor and Council is committed to providing a dollar-for-dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Mayor and Council agree to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

RESOLUTION NO. 2023-126

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:

Block 86, Lot 4	Passaic Ave
Block 86, Lot 4 B01	Passaic Ave
Block 86, Lot 4 B02	Passaic Ave

- As noted on the Borough Tax Map and owned by Plaintiff, Outdoor Systems, Inc. c/o Out Front Media
- The within Resolution relates to the settlement of the pending tax appeal matter entitled Outdoor Systems, Inc. c/o Out Front Media v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No 13283-2018.
- The proposed settlement terms and conditions related to this matter reflect a refund of \$8,078.17.

- Refund to be paid in the form of credits to begin with the first quarterly payment following entry of judgment and to continue until all such refunds have been realized.

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. 2023-127

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the contract for the COMMUNITY GARDEN FENCING REMOVAL, FURNISH, AND INSTALLATION was constructed by Fox Fence Enterprises, Inc., 417 Crooks Avenue, Clifton, New Jersey in accordance with the New Jersey Cooperative Purchasing Alliance #CK04 and #11BECCP for Fencing: Furnish, Deliver, and Install per Bergen County Bid 22-66 Cooperative quote solicitation, as directed by the Project Engineer. The said construction is hereby accepted for Payment No. 1 & Final in the amount of Twenty-One Thousand, Nine Hundred Fifty-Five Dollars and Zero Cents (\$21,955.00) is hereby approved.

RESOLUTION NO. 2023-128
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, Neglia Group, that the plans & specifications for:

CARLYLE COURT IMPROVEMENTS AND BOROUGH HALL FIREHOUSE
DRIVEWAY EXPANSION

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. 2023-129
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, Neglia Group, that the plans & specifications for:

8TH STREET ROADWAY IMPROVEMENTS
(DIVISION AVENUE TO HOBOKEN ROAD) – NJDOT 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. 2023-130

WHEREAS, the Board of Officers has approved the membership of the following person as a regular member of the Carlstadt Fire Department:

1. Isaac Williams – Bergen Engine Company One

and

WHEREAS, said individual has satisfactorily passed the required physical examination.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that Isaac Williams is hereby appointed as a regular member of the Carlstadt Fire Department.

RESOLUTION NO. 2023-131

WHEREAS, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for two (2) additional limousine licenses; and

WHEREAS, the 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 operate two additional limousine licenses at 800 D Central Boulevard, Carlstadt, NJ 07072 be and hereby is approved for VIN# 31153 and # 32026 nunc pro tunc.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the license to operate two additional limousines at the above referenced location for the period of one year, commencing April 5, 2023 and ending on April 5, 2024 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. 2023-132

WHEREAS, Adila Enterprise, LLC DBA Danaro Limousines, Inc. 321 Tenth Street, Carlstadt, NJ 07072 has made application to the Borough of Carlstadt for the renewal of four (4) limousine licenses; and

WHEREAS, the 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 Adila Enterprise, LLC DBA Danaro Limousines, Inc., 321 Tenth Street, Carlstadt, NJ 07072 for the renewal of four (4) limousine licenses be and hereby is approved for VIN # 01265, # 00001, # 04036 and # 08202 nunc pro tunc.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to renew said licenses at the above referenced location for the period of one year, commencing April 4, 2023 and ending April 4, 2024 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. 2023-133
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, Neglia Group, that the plans & specifications for:

TOUCHLESS FIXTURES
(BERGEN COUNTY CDBG – COVID 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.

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RESOLUTION NO. 2023-134

WHEREAS, SKSKAK, LLC has made application for a person-to-person transfer of Plenary Retail Consumption License No. 0205-33-009-004 heretofore issued to Four Spoons, LLC, trading as Dragonfly; and

WHEREAS, SKSKAK, 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 consumption licenses have been complied with and notice of said transfer has been published in the Record in the issues of March 3, 2023 and March 10, 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 No. 0205-33-009-004 heretofore issued to Four Spoons be and the same is hereby issued to SKSKAK, LLC whereby the applicant will continue to hold the license as a pocket license until an appropriate location is found.

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. 2023-135

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Carlstadt Firefighters Foundation, Inc. be granted permission to hold a raffle on Wednesday, December 6, 2023 at 8:00 P.M. at the Carlstadt Borough Hall, 500 Madison Street, Carlstadt, NJ 07072 for which the application, fee and findings and determination sheet shall be forwarded to the Legalized Games of Chance Control Commission.

RESOLUTION NO. 2023-136

WHEREAS, Dyan Moore, widow of retired Fire Official and LOSAP Coordinator Robert Moore has filed a request for reimbursement for the purchase of a Medicare Supplement Part B; and

WHEREAS, pursuant to Resolution 2022-154, she is entitled to the amount equal to the cost of a supplemental coverage plan to Medicare, the amount of said reimbursement for the year 2022 is \$1,141.60

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Chief Financial Officer is hereby authorized to make payment in the amount of \$1,141.60 representing reimbursement for her Medicare Supplement Part B for the year 2022, pursuant to Resolution 2022-154.

Certification as to the availability of funds:

The Chief Financial Officer/Treasurer hereby certifies that sufficient funds are available to pay the amount of One Thousand One Hundred and Forty-One Dollars and Sixty Cents (\$1,141.60) in accordance with the requirements of Resolution 2022-154.

RESOLUTION NO. 2023-137
AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, Cliffhanger Productions, Inc., will provide the Borough of Carlstadt with an Agreement for Professional Services under New Jersey Local Public Contracts Law 40A:11-2 for providing the 2023 Summer Concert Series; and

WHEREAS, the Agreement for Professional Services will include a not to exceed cost of \$40,000.00 representing deliverables noted in the proposal; 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 2023 Summer Concert Series for Cliffhanger Productions, Inc., 161 Park Avenue, Rutherford, NJ 07070.

RESOLUTION NO. 2023-138
AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, Garbarini & Co., P.C. will provide the Borough of Carlstadt with an Agreement for Professional Services under New Jersey Local Public Contracts Law 40A:11-2 for providing Single Audit Engagements for the Years 2017, 2018 & 2019; and

WHEREAS, the Agreement for Professional Services will include a not to exceed cost of \$22,500.00 representing deliverables noted in the proposal; 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 Single Audit Engagements for the Years 2017, 2018 & 2019 for Garbarini & Co., P.C., P.O. Box 385, Ho-Ho-Kus, NJ 07423.

RESOLUTION NO. 2023-139
AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, RSC Architects, will provide the Borough of Carlstadt with an Agreement for Professional Services under New Jersey Local Public Contracts Law 40A:11-2 for providing the Feasibility Study to expand the Carlstadt Municipal Building; and

WHEREAS, the Agreement for Professional Services will include a not to exceed cost of \$24,000.00 representing deliverables noted in the proposal; 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 Feasibility Study for the Carlstadt Municipal Building for RSC Architects, 3 University Plaza Drive, Suite 600, Hackensack, NJ 07601.

RESOLUTION NO. 2023-140

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF CARLSTADT AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE.

WHEREAS, the Borough of Carlstadt, in the County of Bergen, New Jersey (the "Borough"), from time-to-time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, that require issuers of tax-exempt obligations, such as the Borough, to account for and rebate certain arbitrage earnings to the United States Treasury and to take such other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$2,476,000 bond anticipation note, dated March 24, 2023 and payable May 5, 2023 (the "Note")

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Carlstadt, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Note) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. This resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 2023-141

RESOLUTION AUTHORIZING THE BOROUGH OF CARLSTADT TO RENEW THE SHARED SERVICE AGREEMENT WITH THE BOROUGH OF RUTHERFORD AND THE BOROUGH OF EAST RUTHERFORD FOR CONSTRUCTION OFFICIAL AND PLUMBING SUB-CODE OFFICIAL

WHEREAS, the Borough of Rutherford and the Borough of Carlstadt desire to enter into a Shared Services Agreement with the Borough of East Rutherford for a construction official and plumbing sub-code official; and

WHEREAS, the Borough of Carlstadt has determined that it is in the best interests of the Borough to participate in a shared services agreement to provide a construction official and a plumbing sub-code for the Borough of Carlstadt.

NOW, THEREFORE BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Carlstadt that the Mayor and Clerk be and are hereby authorized to enter into an agreement for shared services with the Boroughs of Rutherford and East Rutherford pursuant to N.J.S.A. 40:8A-1, et seq. for the provision of construction code services and plumbing sub-code services, the form of which shall be satisfactory to the Mayor and Borough Attorney for the Borough of Carlstadt.

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

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RESOLUTION NO. 2023-142

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, State of New Jersey, that Mayor Robert J. Zimmermann has appointed Catherine M. Elston, Esq. Special Litigation Counsel for a period of one year. Appointment to be effective May 1, 2023.

Mayor Zimmermann entertained a motion to hire Catherine M. Elston, Esq. Special Litigation Counsel to December 31, 2023. On motion by Roseman, seconded Fonseca, unanimous on call of roll of those present.

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

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

PUBLIC WORKS/PUBLIC PROPERTY – in the absence of Councilman Lenoy, Councilwoman DeBiase reported progress.

PLANNING/BUILDING – Councilman Roseman had no report.

ZONING – in the absence of Councilman Lenoy, Councilman Roseman read the report.

HEALTH/SOCIAL SERVICES – Councilwoman Fonseca reported progress.

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

BOROUGH EQUIPMENT – Councilwoman DeBiase read her report. This report will be filed.

RECYCLING – Councilman Stoltz reported progress.

PROJECTS – Councilwoman DeBiase read her report. This report will be filed.

HUMAN RESOURCES – Councilwoman Fonseca reported progress.

REPORTS OF SPECIAL COMMITTEES

None.

READING OF BILLS

RESOLUTION NO. 2023-143

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:

JOSEPH R. DONAHUE LLC	\$	6,089.16
MEDICAL BENEFITS ACCT		27,000.00
MANNY'S CAR WASH		1,411.00

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MEDICAL BENEFITS ACCT	112,500.00
TRANSUNION RISK & ALTERNATIVE	930.70
CAMPBELL FIRE PROTECTION INC	465.00
CARLSTADT/E.RUTHERFORD	2,600.00
COUNTY OF BERGEN	1,251.73
I.D.A.	99,627.67
MEDICAL BENEFITS ACCT	146,218.99
JAMES ROSS	208.99
ROSS, KARL	347.38
CLAIRE FOY	731.77
MEDICAL BENEFITS ACCT	150,000.00
MEDICAL BENEFITS ACCT	262,600.00
1ST RESPONDER NEWSPAPER	145.00
ABSOLUTELY FISH INC	465.91
AGGRESSIVE ENERGY LLC	6,193.16
AHOLD FINANCIAL SERVICES	378.78
ALPHADOG SOLUTIONS, INC.	1,095.00
AM CONSULTANTS	1,150.00
AMERICAN PAPER & SUPPLY	1,925.84
ARCHER & GREINER P C	3,828.00
ARROW ELEVATOR INC.	230.00
ASHLEY BROWN	279.93
ATLANTIC COAST RECYCLING LLC	11,353.59
AT&T MOBILITY	847.99
AXON ENTERPRISE INC	406.65
BCMCAA	80.00
BCUA	213,540.00
BELLAQUA INC	81.35
BERGEN MUNICIPAL EMPLOYEE	34,224.00
BILL O'SHEA'S	565.15
BLUE STAR OF NEW JERSEY INC.	716.00
BOROUGH OF E. RUTHERFORD	9,061.43
BRAEN STONE INDUSTRIES INC	674.69
BREAKING NEWS NETWORK INC	479.40
BRUNO ASSOCIATES INC	5,833.32
CAPITAL ACCOUNT	218,909.39
CARLSTADT FIRE DEPARTMENT	9,990.66
CARLSTADT BOARD OF EDUCATION	1,072,863.92
CHASEN,LAMPARELLO,MALLON AND	25,309.60
CINTAS	156.41
CLIFFHANGER PRODUCTIONS INC	1,600.00
COLANERI BROTHERS LLC	370.00
COMCAST	932.47

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COMPLETE SAW & GARDEN EQUIP.	290.00
COMMERCIAL RECREATION, INC.	3,301.00
COPYTEXT I LLC	4,400.00
COUNTY OF BERGEN	1,546,630.00
COUNTY OPEN SPACE TRUST FUND	64,272.50
DAVID WEBER OIL CO.	4,015.89
DELGADO INTERPRETING SERVICES	922.50
DENISE MURRAY	100.00
DIRECT ENERGY BUSINESS	2,147.52
EAGLE POINT GUN	6,196.80
ENVIRONMENTAL RENEWAL L.L.C.	877.80
ERIC POKK	501.00
EVERBRIDGE INC.	2,575.00
FAIRLEIGH DICKINSON UNIVERSITY	1,800.00
FIREHOUSE MAGAZINE	52.00
FORMDOCS LLC	149.70
GABRIELLI KENWORTH OF	2,389.56
GARBARINI & CO.	9,000.00
GARDEN STATE HWY PRODUCTS INC	149.20
GATES FLAGS AND BANNER INC	513.64
GENSERVE LLC	3,520.00
GLOBAL INTERACTIVE SOLUTIONS	278.88
GRAINGER, INC.	196.59
GREATAMERICA FINANCIAL SVCS.	935.00
GSB	6,511.38
G.T.B.M. INC	2,308.17
HOMETOWN AUTO PARTS	6,245.01
HUDSON TIRE EXCHANGE	498.52
I.D.A.	62,186.24
IMPRESSIVE PRINTING INC	966.02
INSTITUTE FOR FORENSIC	850.00
INSTITUTE FOR PROFESSIONAL	50.00
INTERSTATE WASTE SERVICES INC	19,617.62
J.E.M.A.	1,530.00
JOHN DEGRACE PLUMBING AND	3,975.00
JORY ENGRAVERS INC.	504.00
JOSEPH R. DONAHUE LLC	9,753.33
JPR CYCLES LLC	303.03
J RUSSO CONSTRUCTION LLC	1,500.00
KIMBALL MIDWEST	589.89
KIMBERLY KOZIEL	100.00
KIPP & ALLEN L.L.P.	3,045.50
KYLE MCMANUS ASSOCIATES LLC	47.50

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LANGUAGE LINE SERVICE	36.75
LAWNBOYS LANDSCAPING & DESIGN	2,600.00
LEXISNEXIS RISK SOLUTIONS	670.00
LINOLEUM SALES COMPANY	5,725.00
LOWE'S BUSINESS ACCT/GEMB	4,301.75
MARIOLA MLEKICKI	620.00
MARIO'S LOCKSMITH	153.80
MARIN CONSULTING ASSOC.	300.00
MATERA'S NURSERY, INC	1,693.00
MCI COMM SERVICE	699.48
MCNERNEY & ASSOCIATES, INC	1,600.00
MEADOWLANDS HARDWARE	270.00
MEADOWLANDS HARDWARE PLUMB INC	0.00
MEADOWLANDS HARDWARE PLUMB INC	2,014.75
MEADOWLANDS ELECTRONICS	1,304.16
METRO FIRE & SAFETY EQUIP, INC	300.50
MICHAEL I. SCHNECK, TRUSTEE	35,860.56
MIKES TRANSMISSION	5,926.86
MOMAR INC	602.13
MONTILLO ELECTRIC LLC	5,800.00
MOORE, ROBERT	1,141.60
MSI TECHNOLOGIES LLC	702.06
MY OFFICE ACCOUNTING SERVICES	3,500.00
NASSOR ELCTRICAL SUPPLY, INC.	662.08
NATIONAL PEN COMPANY	149.94
NEGLIA ENGINEERING ASSOCIATES	20,710.13
NFPA	274.95
NJ DEPT. TREASURY	2,000.00
NJ PHCC	115.00
NJ STATE ASSN. OF CHIEFS OF	1,334.00
NONNA ROSA TRATTOTIA PIZZERIA	94.52
NORTH JERSEY MEDIA GROUP INC	738.52
NRTCTA - ROSEMARIE SILVA	30.00
NW FINANCIAL GROUP LLC	956.25
PAC TOOL & SUPPLY CO, INC	122.88
PANORAMA TOURS INC	3,700.00
PAYROLL ACCOUNT	858.47
PERENNIAL SERVICES LLC	17,296.00
PERS	71.39
ESS, INC	2,779.35
US POSTAL SERVICE	147.00
PRESTI, ROSARIO JR., ESQ.	1,254.99
PRIME EDU NJ	250.00

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PSE&G	44,117.66
QUALIFICATION TARGETS INC	362.03
RAVE WIRELESS	1,605.00
RCM CEBERIO LLC	5,177.50
REDICARE LLC	168.00
REGAL STAMP CO	126.00
REGIONAL BOARD OF EDUCATION	566,224.58
REMINGTON AND VERNICK	925.00
RICCIARDI BROTHERS	466.02
RIEDEL SIGN CO., INC.	825.00
ROBERTS AND SON	219.45
SCHMIDT FRANK	1,215.00
SCOTT TRONZIGER	1,589.76
SENIOR FRIENDSHIP CLUB	450.00
SHARON DUNN	40.50
SHERWIN WILLIAMS, INC.	1,125.73
SIGNALSCAPE INC.	1,470.56
SIMONS SAYS LLC	750.00
SO. BER. MUNC. JT. INS FD	171,841.00
SPITFIRE TACTICAL	151.50
SPIOTTI & ESPOSITO PC	1,906.00
STAN'S SPORT CENTER, INC	19,301.20
QUALITY AUTO MALL	226.47
STAPLES ADVANTAGE	1,903.16
STATE TOXICOLOGY LABORATORY	135.00
STREET COP TRAINING	225.00
TERRE	252.00
THE STANDARD INSURANCE CO.	3,202.15
TOLLS BY MAIL	46.00
TRAFFIC SAFETY & EQUIPMENT INC	201.25
TREASURER STATE OF NJ	258.00
TURN OUT UNIFORMS, INC	177.75
ULINE, INC.	492.24
UNITED SITE SERVICES	922.35
VEOLIA WATER NEW JERSEY	11,711.56
US POSTAL SERVICE	294.00
ADPP ENTERPRISES INC	836.15
VALERIE HOFER, ESQ. TRUST ACCT	16,701.45
VERIZON	1,224.12
VERIELLA'S BAKERY	259.20
VERIZON	4,343.48
V.E. RALPH & SON, INC	522.50
VERIZON	432.99

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VERIZON BUSINESS	43.16
WALLINGTON PLUMBING SUPPLY INC	32.74
WASHINGTON AVE REALTY HOLDINGS	7,183.39
WESTERN PEST SERVICES	230.00
WILDCATS TRACK BOOSTER CLUB	250.00
WOLF VESPASIANO LLC ATTORNEY	5,227.58
PAYROLL ACCOUNT	393,764.22
PAYROLL ACCOUNT	418,383.10
PAYROLL ACCOUNT	514,311.69
ANIMAL HOSPITAL OF HASBROUCK	450.00
BALITANO CONTRACTING CO., INC	4,000.00
B&H PHOTO	4,298.15
FOX FENCE, ENTERPRISES, INC	21,995.10
GUERCIO ENERGY LLC	3,400.00
HADDAD ELECTRIC LLC	3,535.84
IDEMIA	25,758.00
J RUSSO CONSTRUCTION LLC	28,942.48
LASER TECH	1,995.00
LAWNBOYS LANDSCAPING & DESIGN	12,500.00
MPH INDUSTRIES INC	12,594.00
NEGLIA ENGINEERING ASSOCIATES	104,650.81
RIEDEL SIGN CO., INC.	3,365.00
TRAFFIC SAFETY & EQUIPMENT INC	4,399.82
GARBARINI & CO.	3,000.00
ANTHONY WAYNE TITLE AGENCY LLC	2,508,975.14
CURRENT ACCOUNT	166,082.77
CHRISTOPHER HUGHES	10.75
GEORGE MCCOY	151.54
IN TIME CATERING	1,023.00
JOHANNA AGOU-BRACCO	1,235.75
NEGLIA ENGINEERING ASSOCIATES	1,843.75
TINA ZANCA	1,349.75
TREASURER, STATE OF NJ	23,861.00
PBA UNION DUES	1,100.00
DPW UNION DUES	570.00
BORO OF CARLSTADT - CURRENT FD	1,707.04
AFLAC	1,132.94
VOYA FINANCIAL	5,590.00
PRUDENTIAL DCRP	2,576.45
FLEXIBLE SPENDING ACCOUNT	241.38
BORO OF CARLSTADT - CURRENT FD	41,332.69
BORO OF CARLSTADT - CURRENT FD	2,266.00
BORO OF CARLSTADT - CURRENT FD	429.49

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MANUAL PAYROLL - NET CHECKS	753.55
MANUAL PAYROLL - NET CHECKS	2,256.33
MANUAL PAYROLL - NET CHECKS	1,082.33
MANUAL PAYROLL - NET CHECKS	2,316.34
MANUAL PAYROLL - NET CHECKS	1,149.83
MANUAL PAYROLL - NET CHECKS	1,020.96
MANUAL PAYROLL - NET CHECKS	1,291.84
MANUAL PAYROLL - NET CHECKS	2,296.95
VOYA FINANCIAL	46,400.00
MANUAL PAYROLL - NET CHECKS	395.95
PBA UNION DUES	1,100.00
DPW UNION DUES	570.00
VOYA FINANCIAL	5,590.00
VOYA FINANCIAL	46,240.00
AFLAC	1,187.54
PRUDENTIAL DCRP	1,966.79
BORO OF CARLSTADT - CURRENT FD	43,128.11
FLEXIBLE SPENDING ACCOUNT	390.18
BORO OF CARLSTADT - CURRENT FD	1,660.55
MANUAL PAYROLL - NET CHECKS	141.33
MANUAL PAYROLL - NET CHECKS	22.01
MANUAL PAYROLL - NET CHECKS	297.35
MANUAL PAYROLL - NET CHECKS	213.59
MANUAL PAYROLL - NET CHECKS	393.22
MANUAL PAYROLL - NET CHECKS	390.27
MANUAL PAYROLL - NET CHECKS	469.69
MANUAL PAYROLL - NET CHECKS	1,040.32
MANUAL PAYROLL - NET CHECKS	1,149.83
PBA UNION DUES	1,100.00
DPW UNION DUES	570.00
AFLAC	1,187.54
PRUDENTIAL DCRP	1,920.61
VOYA FINANCIAL	5,790.00
FLEXIBLE SPENDING ACCOUNT	397.41
BORO OF CARLSTADT - CURRENT FD	1,660.55
BORO OF CARLSTADT - CURRENT FD	43,638.93
MANUAL PAYROLL - NET CHECKS	1,763.14
PBA UNION DUES	1,100.00
DPW UNION DUES	570.00
AFLAC	1,187.54
VOYA FINANCIAL	5,540.00
FLEXIBLE SPENDING ACCOUNT	425.04
BORO OF CARLSTADT - CURRENT FD	43,559.92

(TOTAL) \$ **9,816,373.06**
TOTAL BILLS FOR THE MONTH \$ **9,816,373.06**

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

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

Mayor Zimmermann entertained a motion to approve a fruit basket for the Siri family. On motion by DeBiase, seconded by Emerson, 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 Fonseca, seconded by Emerson, unanimous on call of roll of those present.

Mayor Zimmermann asked if any citizen wished to speak.

Gunter Kuprat, 507 Washington Street – he mentioned to the Mayor and Council that he visited the site where he was stationed during World War II and where he lost so many friends. He thanked the Mayor and Council for allowing him to share the history with everyone who is present.

Donald Molzon, 530 Madison Street – he mentioned about the number of renters and landlords not residing in town and not keeping up the properties and he asked the Mayor and Council if someone from the property maintenance department could check all this.

Mayor Zimmermann entertained a motion to close the hearing of citizens. On motion by Fonseca, seconded by DeBiase, unanimous on call of roll of those present.

CONSIDERATION OF ORDINANCES
FINAL READING

ORDINANCE NO. 23-2
BOROUGH OF
CARLSTADT CALENDAR
YEAR 2023
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 this ordinance to a hearing of citizens. On motion by Stoltz, seconded by Emerson, unanimous on call of roll of those present.

COUNCIL MEETING

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Mayor Zimmermann asked if any citizen wished to be heard on this ordinance.
Mayor Zimmermann said to let the record note there are no citizens to speak on this ordinance.
Mayor Zimmermann entertained a motion to close this ordinance to a hearing of citizens.
On motion by DeBiase, seconded by Emerson, unanimous on call of roll of those present.

RESOLUTION NO. 2023-144

BE IT RESOLVED that the ordinance entitled:

**BOROUGH OF
CARLSTADT CALENDAR
YEAR 2023
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.

Mayor Zimmermann entertained a motion to approve Ordinance No. 23-2 on final reading. On motion by Stoltz, seconded by Fonseca, unanimous on call of roll of those present.

FINAL READING

ORDINANCE NO. 23-3

AN ORDINANCE TO FIX AND DETERMINE THE SALARIES AND COMPENSATION OF THE SEVERAL OFFICERS AND EMPLOYEES OF THE BOROUGH OF CARLSTADT, AND TO PROVIDE THE MANNER AND PAYMENT THEREOF, REVISED TO 2023.

Mayor Zimmermann entertained a motion to open this ordinance to a hearing of citizens.
On motion by Roseman, seconded by Emerson, unanimous on call of roll of those present.
Mayor Zimmermann asked if any citizen wished to be heard on this ordinance.
Mayor Zimmermann said to let the record note there are no citizens to speak on this ordinance.
Mayor Zimmermann entertained a motion to close this ordinance to a hearing of citizens.
On motion by Roseman, seconded by DeBiase, unanimous on call of roll of those present.

RESOLUTION NO. 2023-145

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE TO FIX AND DETERMINE THE SALARIES AND COMPENSATION OF THE SEVERAL OFFICERS AND EMPLOYEES OF THE BOROUGH OF CARLSTADT, AND TO PROVIDE THE MANNER AND PAYMENT THEREOF, REVISED TO 2023

heretofore introduced, does now pass as amended 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 approve Ordinance No. 23-3 on final reading as amended. On motion by Stoltz, 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 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 8:36 P.M. On motion by Emerson, seconded by Fonseca, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to go back into open session at 11:23 P.M. On motion by Stoltz, seconded by Roseman, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to approve the license agreement from NJ Transit pending attorney review. On motion by Roseman, seconded by DeBiase, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to appoint Ashley Brown as Director of Summer Recreation and Danielle Bartlett as her Assistant Director of Recreation. On motion by Emerson, seconded by Fonseca, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to approve Keith Dalton as a Fire Sub Code Official at \$12,500.00 per year and an appointment for a one-year period to December 31, 2023. On motion by Roseman, seconded by Emerson, unanimous on call of roll of those present.

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Mayor Zimmermann entertained a motion to post for a temporary DPW clerical assistant not to exceed twenty hours per week. On motion by Fonseca, seconded by DeBiase, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to hire Keith Matino as the Building Inspector to 12/31/2023. On motion by Stoltz, seconded by Emerson, unanimous on call of roll of those present.

RESOLUTION NO. 2023-145-A

**RESOLUTION AUTHORIZING PARTICIPATION WITH THE COUNTY OF BERGEN
OFFICE OF EMERGENCY MANAGEMENT FOR THE STAGING AND USE OF A
FIVE (5) TON HIGH WATER RESCUE VEHICLE AT THE CARLSTADT FIRE
DEPARTMENT, JEFFERSON STREET HEADQUARTERS**

WHEREAS, the County of Bergen Office of Emergency Management is a participant in the New Jersey Government Surplus Program; and

WHEREAS, after Hurricane Sandy (DR-4086) the Office of Emergency Management of the County of Bergen acquired three Military five (5) Ton High Water Rescue Vehicles at no charge; and

WHEREAS, in the event of a storm surge event, there is a possibility of flooding in the Borough of Carlstadt; and

WHEREAS, the County of Bergen seeks to stage several pieces of Emergency Management equipment, including one of its High-Water Rescue Vehicles at the Carlstadt Fire Department Headquarters for the use in response to flooding and other relevant emergencies within Carlstadt and the County of Bergen, pursuant to the terms outlined in the Memorandum of Understanding between the Borough of Carlstadt and the County of Bergen; and

WHEREAS, the Interlocal Services Act N.J.S.A. 40A:65-1, et seq., permits authorities and encourages public bodies such as counties and municipalities to enter into agreements with each other to contract for the provision of any service which the parties of such agreement are empowered to render under and within their own individual jurisdiction, whether administrative or otherwise.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey, that the Borough of Carlstadt and the County of Bergen may enter into a Memorandum of Agreement that will permit and regulate storage and use of County Emergency Management equipment, including a Five (5) Ton High Water Rescue Vehicle, within the Carlstadt Fire Department pursuant to the terms outlined in the said agreement; and

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Carlstadt is hereby authorized to execute the necessary Memorandum of Agreement.

Mayor Zimmermann entertained a motion for the acquisition of high-water rescue vehicles from the Military Surplus Program. On motion by Emerson, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to adjourn the meeting at 11:26 P.M.
On motion by DeBiase, seconded by Emerson, the meeting was unanimously adjourned.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK