

CAUCUS MEETING
May 17, 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, May 17, 2023 at 7:05 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 and Diane DeBiase were present. Councilman William Roseman arrived at 7:36 P.M. Councilwoman Suzanne Fonseca 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.

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.

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, 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.

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Mayor Zimmermann entertained a motion to go into closed session at 7:06 P.M. On motion by Emerson, seconded Stoltz, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to adjourn the meeting at 8:00 P.M. On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK

COUNCIL MEETING
May 17, 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, May 17, 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, James Lenoy, Joseph Emerson, William Roseman and Diane DeBiase were present. Councilwoman Suzanne Fonseca 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.

APPROVAL OF MINUTES

Mayor Zimmermann entertained a motion to accept the minutes of the 4/26/2023 Caucus Meeting, 4/26/23 Council Meeting and 5/3/2023 Caucus/Finance Meeting (Open and Closed Sessions). On motion by Emerson, seconded by DeBiase, unanimous on call of roll of those present.

CORRESPONDENCE

A letter from the Fire Department Board of Officers was received accepting Nicholas Romano and Anthony Riccardi as probationary members of Engine 2, the Fire Department congratulated David Stoltz for his fifty years serving the community and the expulsion of Jason Dechert. Also, a letter was received from the Carlstadt Public School asking for a donation for the Eighth Grade Graduation Award of \$25.00 for the Awards Fund and \$35.00 for the cost of the dinner. Mayor Zimmermann entertained a motion to approve the request from the Carlstadt Public School.

On motion by Emerson, seconded by Lenoy, 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 April. This report will be filed.

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

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

FINANCE – Councilman Emerson said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2023-155

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of DCI Cheese Company, Inc. and Saputo Foods, Tenant in a Parcel Owned by Jenic Associates, LLC for property located at 861 Washington Avenue, Carlstadt, New Jersey for Block 132 Lot 5 Qualifier HM as per Docket No. 004448-2017 dated 2/24/2023 reducing the 2017 property tax assessment from \$8,023,900.00 to \$7,923,900.00 and as per Docket No. 002352-2018 dated 2/24/2023 reducing the 2018 property tax assessment from \$8,157,700.00 to \$8,057,700.00; and

WHEREAS, the reduction in the 2017 property tax assessment is \$100,000.00 or \$1,906.00 in 2017 property tax and the reduction in the 2018 property tax assessment is \$100,000.00 or \$1,922.00 in 20218 property tax; and

WHEREAS, appeals for 2019, 2020 and 2021 have been withdrawn.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$3,828.00 and the Tax Collector shall adjust his books accordingly. (2017: \$ 1,906.00; 2018: \$1,922.00).

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, Kyle 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 Borough Finance Officer has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to:
“Archer & Greiner, P.C. as Trustee for Saputo Cheese USA Inc.”

The refund shall be mailed to:
Archer & Greiner
101 Carnegie Center
3rd Floor, Suite 300
Princeton, NJ 08540
Attn.: Alex Paul Genato, Esq.

RESOLUTION NO. 2023-156

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
Carlstadt Veteran's Fund	12,975.00

RESOLUTION NO. 2023-157
BOROUGH OF CARLSTADT
MUNICIPAL BUDGET 2023

BE IT RESOLVED, that the following statements of revenue and appropriations shall constitute the approved Municipal Budget for the year 2023;

General Appropriations

Appropriations within "CAPS" - Municipal Purposes	\$20,286,319.50
Appropriations excluded from "CAPS" - Municipal Purposes	5,387,097.47
Reserve for Uncollected Taxes	440,000.00
Total General Appropriations	26,113,416.97
Less: Anticipated Revenues	4,158,656.20

Amount to be Raised by Taxes for Support of Municipal Budget

Local Tax Municipal Purposes	\$21,015,314.37
Minimum Library Tax	\$939,446.40
Total to be Raised by Taxes	\$21,954,760.77

The Governing Body of the Borough of Carlstadt does hereby approve the above as the Budget for the year 2023.

RESOLUTION NO. 2023-158

WHEREAS, notification was received that the following handicapped parking space is no longer needed and should be removed from this location:

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1. 645 Seventh Street

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Borough Clerk notify the DPW to remove the above-mentioned handicapped parking space and that the Police Chief remove same from the certified list of handicapped parking spaces.

RESOLUTION NO. 2023-159

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 49 Commerce Road, LLC for property located at 49 Commerce Road, Carlstadt, New Jersey for Block 127 Lot 7.02 HM as per Docket No. 006727-2018 dated 2/21/2023 reducing the 2018 property tax assessment from \$2,473,800.00 to \$2,373,800.00; and

WHEREAS, the reduction in the 2018 property tax assessment is \$100,000.00 or \$1,922.00 in 2018 property tax.

It is noted that the Tax Appeal Complaints for 2019, 2020 and 2021 have been dismissed.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$1,922.00 and the Tax Collector shall adjust his books accordingly.

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, Kyle 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 49 Commerce Road, LLC”

The refund shall be mailed to:

Wolf Vespasiano, LLC

331 Main Street

Chatham, New Jersey 07928

RESOLUTION NO. 2023-160

WHEREAS, the Borough of Carlstadt received payment to redeem Tax Sale Certificate Number 20160006 that was sold on December 9, 2016 for Outwater Lane, Carlstadt, NJ Block 136 Lot 10 in the amount of \$49,158.62 which included the second quarter (May) 2023 property tax installment; and

WHEREAS, the Borough of Carlstadt holds Tax Sale Certificate Number 20160006.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that Tax Sale Certificate Number 20160006 is authorized for cancellation and the Carlstadt Tax Collector shall adjust his books accordingly.

RESOLUTION NO. 2023-161

WHEREAS, the Board of Officers has approved the membership of the following persons as probationary members of the Carlstadt Fire Department:

1. Nicholas Romano – Engine Company Two
2. Anthony Riccardi - Engine Company Two

and

WHEREAS, said individuals have satisfactorily passed the required physical examination.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that Nicholas Romano and Anthony Riccardi are hereby appointed as a probationary members of the Carlstadt Fire Department.

RESOLUTION NO. 2023-162

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# 38333 and # 40010.

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 May 18, 2023 and ending on May 18, 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. NO. 2023-163

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the following music/entertainment permit application is hereby approved by the Carlstadt Police Department as the applicant's premises and use thereof complies with the Carlstadt Zoning Ordinance and all other rules, regulations, ordinances and laws:

1. Nona Rosa - music permit only

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Mayor Zimmermann entertained a motion to approve the Consent Agenda.

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

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 – Councilman Lenoy reported progress.

PLANNING/BUILDING – Councilman Roseman read his report. This report will be filed.

ZONING – Councilman Lenoy read his reports. These reports will be filed.

HEALTH/SOCIAL SERVICES – in the absence of Councilwoman Fonseca, Councilman Stoltz mentioned that he attended the meeting and the Board of Health is working on some ordinance changes.

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 read his report. This report will be filed.

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

HUMAN RESOURCES – in the absence of Councilwoman Fonseca, Councilwoman DeBiase reported progress.

REPORTS OF SPECIAL COMMITTEES

None.

READING OF BILLS

RESOLUTION NO. 2023-164

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:

SCOTT TRONZIGER	\$	149.00
MEDICAL BENEFITS ACCT		55,900.00
CARLSTADT RECREATION BASKETBAL		800.00
MEDICAL BENEFITS ACCT		74,000.00
MEDICAL BENEFITS ACCT		86,000.00

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NEW JERSEY MOTOR VEHICLE	170.00
ABSOLUTELY FISH INC	393.93
ADEMCO INC DBA ADI	216.98
AERIAL-RISE LLC	900.00
A.N.D. SERVICE	10,000.00
APPRAISAL SYSTEMS INC.	3,300.00
ARAMARK UNIFORM SERVICES	807.60
ARROW ELEVATOR INC.	230.00
A.T. EMBLEM CO.	439.75
ATLANTIC COAST RECYCLING LLC	4,931.56
ATLANTIC SALT INC	2,080.56
BCPCA	745.00
BELLAQUA INC	1,171.75
BILL O'SHEA'S	110.95
BIS INC.	200.10
BOROUGH OF RUTHERFORD	21,706.87
BOWLERO	1,299.00
BRAEN STONE INDUSTRIES INC	265.71
BRUNO ASSOCIATES INC	2,916.66
CAPITAL ACCOUNT	1,074,625.00
CARLSTADT PUBLIC SCHOOL	35.00
CARLSTADT PUBLIC SCHOOL	25.00
CARLSTADT BOARD OF EDUCATION	1,072,863.92
AMERICAN LEGION POST 69	12,975.00
C & C TIRE, INC	1,707.30
CERTIFIED LABORATORIES	412.70
CHASEN,LAMPARELLO,MALLON AND	10,675.40
CHOCOLATE DREAMS	160.00
CIRKIEL ACTUARIAL CONSULING	6,750.00
CLEAN AIR COMPANY INC	1,951.61
CLIFFHANGER PRODUCTIONS INC	20,000.00
COBBLESTONE HILL	12.00
COMPLETE SAW & GARDEN EQUIP.	65.00
DELGADO INTERPRETING SERVICES	419.00
DENISE MURRAY	100.00
DIRECT ENERGY BUSINESS	1,001.76
DRAGER INC.	299.00
DUNKIN DONUTS	499.34
EDMUNDS GOVTECH, INC	140.00
ENVIRONMENTAL RENEWAL L.L.C.	4,275.60

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ESPOS LAW ENFORCEMENT LLC	295.00
FEDEX	19.32
FIRE & SAFETY SERVICES	3,108.41
FUN TIME ENTERTAINMENT	1,700.00
GADALETA HEATING & COOLING LLC	1,600.00
GANN LAW BOOKS, INC.	863.00
GARBARINI & CO.	10,000.00
GATES FLAGS AND BANNER INC	381.66
GRIFFIN AUTOMOTIVE	925.00
GUERCIO ENERGY LLC	2,500.00
HARRIS UNIFORMS INC	241.80
HOMETOWN AUTO PARTS	2,419.80
HORIZON ENTERTAINMENT AND	5,900.00
HUDSON TIRE EXCHANGE	305.40
IAFC LOCKBOX #791544	240.00
I.D.A.	62,495.56
IMPRESSIVE PRINTING INC	1,192.95
INTERNATIONAL CODE COUNCIL	103.50
INTERSTATE BATTERY SYSTEM	90.00
INTERSTATE WASTE SERVICES INC	21,737.85
JOSEPH R. DONAHUE LLC	8,238.33
LAWNBOYS LANDSCAPING & DESIGN	2,600.00
LINDE GAS & EQUIPMENT INC	221.38
LOWE'S BUSINESS ACCT/GEMB	182.38
MASTER PIZZA	141.65
MATERA'S NURSERY, INC	1,322.25
MCI COMM SERVICE	559.39
MEADOWLANDS DECORATING	3,810.00
MERCHANTS ALARM SYSTEMS INC	279.00
MOMAR INC	748.49
NEGLIA ENGINEERING ASSOCIATES	9,254.63
NORTHEAST SWEEPERS INC	1,351.02
OLGA RODRIGUEZ	110.00
OPENTEXT INC.	336.00
PAYROLL ACCOUNT	1,108.37
PENGUIN MANAGEMENT INC.	1,086.00
PERENNIAL SERVICES LLC	7,198.00
ESS, INC	2,399.85
PRESTI, ROSARIO JR., ESQ.	836.66
PROGRESSIVE BRICK CO.	80.50

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PSE&G	2,134.28
RAPID PUMP & METER SERVICE CO.	1,160.75
RCM CEBERIO LLC	5,315.00
REGIONAL BOARD OF EDUCATION	566,224.58
RICHARD S. CEDZIDLO	1,000.00
RIEDEL SIGN CO., INC.	595.00
ROBERT T. REGAN ESQ.	222.00
ROBERTS AND SON	354.00
ROYAL TOUCH HAND CAR WASH CORP	460.00
RSC ARCHITECTS	2,800.00
SANITATION EQUIP. CORP.	89.79
SAVE A LIFE	148.00
STAN'S SPORT CENTER, INC	732.00
STAPLES ADVANTAGE	3,836.90
THE TURNVEREIN OF CARLSTADT	100.00
TMF CORP/T.M. FITZGERALD ASSO	6,150.00
TOLLS BY MAIL	51.00
TRAFFIC SAFETY & EQUIPMENT INC	490.00
TRAINING UNLIMITED	75.00
TREASURER, STATE OF NJ	65.00
TRI-MY-BAG LLC	290.00
VEOLIA WATER NEW JERSEY	12,372.26
ADPP ENTERPRISES INC	529.81
VALLEY PHYSICIAN SERVICES PC	314.00
VERIZON	2,366.11
VERIELLA'S BAKERY	146.40
VERIZON	3,051.55
V.E. RALPH & SON, INC	645.00
VERIZON	259.98
VERIZON	1,213.82
VERIZON BUSINESS	43.35
VIP CAR WASH & LUBE LLC	567.13
WESTERN PEST SERVICES	525.00
WOLF VESPASIANO LLC TRUST ACCT	1,922.00
WORLD INSURANCE ASSO. LLC	37,792.00
HACKENSACK MERIDIAN TEAM HLTH	403.00
MSI TECHNOLOGIES LLC	302.50
OSLER MEDICAL GROUP & HEIGHTS	300.00
QUALITY AUTO GLASS INC	1,077.40
UNITED FORD	143.54

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PAYROLL ACCOUNT	445,083.30
NJ DEPT OF HEALTH & SENIOR SRV	53.40
CONTINENTAL FIRE & SAFETY INC	6,677.00
GEARGRID CORPORATION	2,914.11
KIPP & ALLEN L.L.P.	2,788.00
MOTOROLA SOLUTION INC	60,353.84
MUNICIPAL EMERGENCY SRVS, INC.	7,621.95
NJ AUTO BODY	300.00
PREMIER BUSINESS SOLUTIONS INC	3,808.70
ROGUT MCCARTHY TROY LLC	2,113.48
UNION PAVING & CONSTRUCTION	2,091,411.31
NEGLIA ENGINEERING ASSOCIATES	59,886.00
SEA BREEZE	281.08
NEGLIA ENGINEERING ASSOCIATES	1,537.50
PRUDENTIAL DCRP	2,024.21
PBA UNION DUES	540.00
PBA UNION DUES	1,056.00
DPW UNION DUES	540.00
AFLAC	1,187.54
VOYA FINANCIAL	5,825.00
BORO OF CARLSTADT - CURRENT FD	41,999.53
FLEXIBLE SPENDING ACCOUNT	425.04
PRUDENTIAL DCRP	1,108.37
(TOTAL)	\$ 6,029,437.21
TOTAL BILLS FOR THE MONTH	\$ 6,029,437.21

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 Lenoy, unanimous on call of roll of those present.

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

Mayor Zimmermann asked if any citizen wished to speak.

Miriam Gourzis, 435 6th Street – she mentioned people are dumping non-recyclables in her blue recycling cans and she does not want to get in trouble with the town. The Mayor said to her to come up to the Borough Hall and speak to the Zoning Department Secretary.

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

CONSIDERATION OF ORDINANCES

None.

Mayor Zimmermann entertained a motion to adjourn the meeting at 8:26 P.M.
On motion by Emerson, seconded by Lenoy, the meeting was unanimously adjourned.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK