

CAUCUS/FINANCE MEETING

August 2, 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, August 2, 2023 at 7:03 P.M.

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

PROFESSIONAL REPORTS

Gregory Polyniak of Neglia Engineering read his report for the month of July on projects that were done and present projects. A copy of his report is on file in the Borough Clerk's office.

Robert Ceberio of RCM Ceberio, LLC Management Consultants read his report for the month of July 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. 2023-201

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the contract for the Civic Center Awning currently in construction by **JMS Signs, 453-455 Cortland Street Belleville NJ 07109** in accordance with the Plans and Specifications, as directed by the Project Engineer. The said construction is hereby accepted for Payment No. 1 and Final in the amount of **Twenty-Two Thousand, One-Hundred Eighty Dollars and Zero Cents (\$22,180.00)** is hereby approved.

RESOLUTION NO. 2023-202

WHEREAS, Mehmet R. Kilic DBA Mronik, LLC operating from 800 Central Boulevard, Carlstadt, NJ 07072 has made application to the Borough of Carlstadt for the renewal of one (1) limousine license; and

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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 Mehmet R. Kilic DBA Mronik, LLC to renew one (1) limousine license at 800 Central Boulevard, Carlstadt, NJ 07072 be and hereby is approved for VIN # 82588 nunc pro tunc.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to renew the license to operate one (1) limousine at the above referenced location for the period of one year, commencing July 25, 2023 and ending on July 25, 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. 2023-203

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 84, Lot 10 601 Sixteenth Street**
- The property is owned by Plaintiff, SKC 97, LLC.

The within Resolution relates to the settlement of the pending tax appeal matter entitled SKC 97, LLC. v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 005645-14; 000817-16; 003062-17; 001912-18; 001531-19; 005420-20; 004754-21; & 004897-22
CLMC File No. 15210-0086

- The proposed settlement terms and conditions related to this matter reflect a refund of \$34,712.94.
- 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.

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. 2023-204
Referendum for the General Election Ballot -
Establishment of the Municipal Open Space Trust Fund

WHEREAS, the Mayor and Council of the Borough of Carlstadt concur that the concept of preserving and protecting Open Space and Historic Properties within the Borough is of the utmost importance; and,

WHEREAS, this vital preservation can best be achieved by providing a definite long term fixed source of funding; and,

WHEREAS, N.J.S.A. 40:12-15.7 authorizes the Mayor and Council to submit a question in order to ascertain the opinion of the voters by including a binding referendum on the November 7, 2023 General Election Ballot.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, and State of New Jersey, that the following binding referendum be forwarded to the Bergen County Clerk for inclusion on the November 7, 2023, General Election Ballot:

BINDING QUESTION

Shall the Borough of Carlstadt establish an Open Space Trust Fund which will be funded in the following manner for the following purposes:

A. The Open Space Trust Fund shall be funded through the collection of local property taxes in an amount of one cent (\$.01) per one hundred (\$100.00) dollars of assessed value per year for a period not to exceed five (5) years, unless a proposition extending the same is approved by the voters.

B. These funds shall be designated for recreation, conservation or historic preservation purposes as may be permitted by law, to be determined following a public hearing.

() Yes

() No

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INTERPRETIVE STATEMENT

This binding referendum will establish a Municipal Open Space Trust Fund. This fund shall collect a special municipal tax, the proceeds of which would be used for recreation, conservation or historic preservation purposes as permitted by law after a public hearing. The tax would be collected for five (5) years and then expire, unless extended by approval of such a proposition by public vote.

As an example, the owner of a house assessed at \$ 500,000.00 would pay an additional tax of approximately \$4.17 per month for a period of five (5) years.

The total amount the tax would yield each year would be approximately \$265,000.00, which in turn will allow the Borough to apply for and potentially receive matching state or county grants; and

BE IT FURTHER RESOLVED that the Bergen County Clerk is hereby requested to print the binding referendum and interpretive statement on the official ballot for the General Election to be held on November 7, 2023.

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

Mayor Zimmermann entertained a motion to ratify the purchase of a fruit basket for Jean Oosterwyk and flowers for the family of Walter Siri. On motion by DeBiase, seconded by Roseman, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to have July 5, 2023 as a floating day holiday for the Borough Hall employees. On motion by Emerson, 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 Emerson, unanimous on call of roll of those present. A resident from Clifton, NJ was in attendance inquiring about the application for the Cannabis License. Mayor Zimmermann replied that the Ordinance and application is on the Borough Website.

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

**EXECUTIVE SESSION MEETING ACT
RECESS INTO CLOSED SESSION**

WHEREAS, it is necessary for the Governing Body of the Borough of Carlstadt to conduct an executive session closed to the public in order to discuss one or more of the following subjects: personnel and property.

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 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 7:35 P.M.
On motion by Fonseca, seconded by DeBiase, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to adjourn the meeting at 9:32 P.M. On motion by DeBiase, seconded by Emerson, the meeting was unanimously adjourned.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK