

**CAUCUS MEETING**  
**August 16, 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, August 16, 2023 at 7:01 P.M.

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

**Gunter Kuprat, 501 Washington Street** – he asked the Mayor and Council if he can utilize the medical transportation to go to the Veterans Hospital in East Orange because he is unable to drive. The Borough Administrator explained to the Mayor and Council the reason why it was changed to not exceed the ten-mile radius due to a personnel issue. The Mayor and Council decided to allow the veterans to use the transport to the Veterans Hospital in East Orange.

**Councilwoman Suzanne Fonseca** – she mentioned the fundraising for the Community Garden was a success. They collected \$1,300. She thanked the Borough for sending all the emails. She also mentioned the old greenhouse was removed to make room for the new one which will arrive in October. She said the itinerary for the Carlstadt Soccer Opening Day is subject to change.

**Councilman James Lenoy** – he had nothing to report.

**Councilman Joseph Emerson** – he mentioned to the Mayor and Council that Christopher Assenheimer would like to get reimbursed for the class he is taking on purchasing. The Mayor said it will be on the agenda for a vote.

**Councilman David Stoltz** – he mentioned to the Mayor to approve the recommendations from the Fire Official to hire two fire inspectors.

**Joseph Donahue, Borough Attorney** – he brought up a feral cat ordinance for their review and introduction.

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**Joseph Crifasi, Borough Administrator** – he mentioned the benches that were installed at various locations and that the polo shirts for the employees came in and were distributed. Also, he ordered the Welcome Carlstadt signs for various locations. The construction inside Borough Hall is on schedule. He met with the contractor with regards to the space and other items that were important to finalize. He said that recreation meetings are not well attended by the sports presidents and had a meeting with the recreation liaison and it was decided to send an email to all the recreation presidents and include the Borough Administrator for a follow up with them and their presence. Also, Bolero Brewery is doing the Oktoberfest on September 30, 2023 at the Village Green Park. He said the conversation that took place at the last meeting was to name the soccer field and it was decided to name it Carlstadt Recreation Complex for which the sign will be posted facing the Stop and Shop parking lot.

**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 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.

Police Chief Cox mentioned the advertisement for the Police Dispatchers and Certified Police Officers. He said so far he has five applicants for the dispatching position and six applicants for Police Officers and said the deadline for Dispatchers is September 21, 2023 and for certified Police Officers is September 28, 2023.

Mayor Zimmermann entertained a motion to go into closed session at 7:21 P.M.  
On motion by Lenoy, seconded by DeBiase, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to adjourn the meeting at 8:04 P.M. On motion by Lenoy, seconded by DeBiase, the meeting was unanimously adjourned.

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

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

**CLOSED SESSION  
CAUCUS MEETING  
August 16, 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, August 16, 2023 at 7:01 P.M.

Mayor Robert Zimmermann asked Claire Foy, Borough Clerk to call the roll: Mayor Robert Zimmermann, Council members David Stoltz, James Lenoy, Joseph Emerson, Suzanne Fonseca and Diane DeBiase were present. Councilman William Roseman 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 entertained a motion to go into closed session at 7:21 P.M. On motion by Lenoy, seconded by DeBiase, unanimous on call of roll of those present.

The following items were discussed among the Mayor and Council, Borough Administrator and Borough Attorney:

1. Wil-Dam Corp. (Shakers) liquor license renewal hearing that were held in August and September, 2022 with David Corrigan, Esq. who gave a re-cap of the hearing.
2. The facebook situation was brought up by the Borough Attorney.
3. Cannabis application process.
4. Salary for policing at the Carlstadt Public School.

Mayor Zimmermann entertained a motion to adjourn the meeting at 8:04 P.M. On motion by Lenoy, seconded by DeBiase, unanimous on call of roll of those present.

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

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

**COUNCIL MEETING**  
**August 16, 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, August 16, 2023 at 8:05 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, Suzanne Fonseca and Diane DeBiase were present. Councilman William Roseman 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 asked everyone to remain standing for a moment of silence for two individuals that contributed to this community for many years, Walter Siri and Patrick Fucci.

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 7/19/2023 Caucus/Council Meeting and 8/2/2023 Caucus/Finance Meeting (Open and Closed Sessions).

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

**CORRESPONDENCE**

A letter was received from the Fire Department Board of Officers recommending Nicholas J. Kovacs and Daniel O. O’Beirne as Fire Inspectors.

**REPORT OF THE MAYOR**

None.

**SPECIAL REPORTS**

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

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

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

**STANDING COMMITTEES**

**FINANCE** – Councilman Emerson said we have resolutions.

**CONSENT AGENDA**

**RESOLUTION NO. 2023-205**

**WHEREAS**, the Borough of Carlstadt desires to apply for and obtain a FY24 Recreational Opportunities for Individuals with Disabilities (ROID) grant from the New Jersey Department of Community Affairs for approximately \$20,000.00 to expand services and programming related to the arts, sports and education for individuals with disabilities through its “Carlstadt Challenger League” Programming; and

**BE IT THEREFORE RESOLVED** That the Mayor and Council of the Borough of Carlstadt does hereby authorize the application for such a grant and recognizes that a 20% match is required and recognizes and accepts that the department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Carlstadt and the New Jersey Department of Community Affairs; and

**BE IT FURTHER RESOLVED** that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

**RESOLUTION NO. 2023-206**

**WHEREAS**, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for one additional limousine license; 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 one additional limousine license at 800 D Central Boulevard, Carlstadt, NJ 07072 be and hereby is approved for VIN # 24551 nunc pro tunc.

**AND, BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized and directed to issue the license to operate one additional limousine at the above referenced location for the period of one year, commencing August 8, 2023 and ending on August 8, 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. 2023-207**

**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	\$ 1,086, 430.59
Regional Board of Education	615,551.83
County Open Space Taxes 3 <sup>rd</sup> Quarter	82,570.00
County 3 <sup>rd</sup> Quarter Taxes	1,798,566.00

**RESOLUTION NO. 2023-208**  
**AGREEMENT FOR PROFESSIONAL SERVICES**

**WHEREAS**, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for the Berry Avenue – Roadway Extension & Retaining Wall project; and

**WHEREAS**, the Agreement for Professional Services includes a lump sum cost of \$39,880.00 representing Engineering and Surveying Costs and includes a not to exceed cost to be invoiced on a time basis (schedule in contract) of \$38,565.00 representing Construction Management Services; and

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

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

**RESOLUTION NO. 2023-209**  
**AGREEMENT FOR PROFESSIONAL SERVICES**

**WHEREAS**, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for the Bergen County ADA Curb Ramp Compliance Aid Program – Hackensack Street project; and

**WHEREAS**, the Agreement for Professional Services includes a lump sum cost of \$15,360.00 representing Engineering Costs and includes a not to exceed cost to be invoiced on a time basis (schedule in contract) of \$14,565.00 representing Construction Management Services; and

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

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

**RESOLUTION NO. 2023-210**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Jomike Corp. J. Kindergan for property located at 513 Washington Avenue, Carlstadt, New Jersey for Block 128 Lot 32 HM as per Docket No. 007098-2017 dated 6/15/2023 reducing the 2017 property tax assessment from \$3,258,800.00 to \$2,860,350.00 and as per Docket No. 002981-2018 dated 6/15/2023 reducing the 2018 property tax assessment from \$3,313,100.00 to \$2,862,200.00 and as per Docket No. 002291-2019 dated 6/15/2023 reducing the 2019 property tax assessment from \$3,332,200.00 to \$2,827,100.00 and as per Docket No. 004221-2020 dated 6/15/2023 reducing the 2020 property tax assessment from \$3,457,200.00 to \$3,282,450.00 and as per Docket No. 005728-2021 reducing the 2021 property tax assessment from \$3,508,000.00 to \$3,283,650.00; and

**WHEREAS**, the reduction in the 2017 property tax assessment is \$398,450.00 or \$7,594.95 in 2017 property tax and the reduction in 2018 property tax assessment is \$450,900.00 or \$8,666.30 in 2018 property tax and the reduction in 2019 property tax assessment is \$505,100.00 or \$9,269.59 in 2019 property tax and the reduction in 2020 property tax assessment is \$174,750.00 or \$3,101.81 in 2020 property tax and the reduction in the 2021 property tax assessment is \$224,350.00 or \$4,067.47 in 2021 property tax.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Carlstadt that a refund in the amount of \$32,698.62 is approved and the Tax Collector shall adjust his books accordingly. (2017: \$7,594.45; 2018: \$8,666.30, 2019: \$9,268.59, 2020: \$3,101.81, 2021: \$4,067.47).

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, John Bang, 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:  
Andrew S. Kessler; Plaintiff's Attorney Trust Account

and shall be mailed to  
Saiber, LLC  
18 Columbia Turnpike, Suite 200  
Florham Park, NJ 07932-2266

**RESOLUTION NO. 2023-211**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Mijack Corp. J. Kindergan for property located at Washington Avenue, Carlstadt, New Jersey for Block 128 Lot 31 HM as per Docket No. 0077099-2017 dated 6/15/2023 reducing the 2017 property tax assessment from \$5,584,800.00 to \$5,100,000.00 and as per Docket No. 002978-2018 dated 6/15/2023 reducing the 2018 property tax assessment from \$5,677,800.00 to \$5,100,000.00 and as per Docket No. 002287-2019 dated 6/15/2023 reducing the 2019 property tax assessment from \$5,710,500.00 to \$5,100,000.00; and

**WHEREAS**, the reduction in the 2017 property tax assessment is \$484,800.00 or \$9,240.29 in 2017 property tax and the reduction in 2018 property tax assessment is \$577,800.00 or \$11,105.32 in 2018 property tax and the reduction in 2019 property tax assessment is \$610,500.00 or \$11,202.67.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Carlstadt that a refund in the amount of \$31,548.28 is approved and the Tax Collector shall adjust his books accordingly. (2017: \$9,240.29; 2018: \$11,202.67, 2019: \$11,202.67).

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, John Bang, 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:  
Andrew S. Kessler; Plaintiff's Attorney Trust Account

and shall be mailed to  
Saiber, LLC  
18 Columbia Turnpike, Suite 200

**RESOLUTION NO. 2023-212**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Jomike Corp. J. Kindergan for property located at 523 Washington Avenue, Carlstadt, New Jersey for Block 128.01 Lot 1 HM as per Docket No. 007098-2017 dated 6/15/2023 reducing the 2017 property tax assessment from \$3,038,100.00 to \$2,639,650.00 and as per Docket No. 002981-2018 dated 6/15/2023 reducing the 2018 property tax assessment from \$3,088,700.00 to \$2,637,800.00 and as per Docket No. 002291-2019 dated 6/15/2023 reducing the 2019 property tax assessment from \$3,178,000.00 to \$2,672,900.00 and as per Docket No. 004221-2020 dated 6/15/2023 reducing the 2020 property tax assessment from \$3,292,300.00 to \$3,117,550.00 and as per Docket No. 005728-2021 reducing the 2021 property tax assessment from \$3,340,700.00 to \$3,116,350.00; and

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**WHEREAS**, the reduction in the 2017 property tax assessment is \$398,450.00 or \$7,594.95 in 2017 property tax and the reduction in 2018 property tax assessment is \$450,900.00 or \$8,666.30 in 2018 property tax and the reduction in 2019 property tax assessment is \$505,100.00 or \$9,269.59 in 2019 property tax and the reduction in 2020 property tax assessment is \$174,750.00 or \$3,101.81 in 2020 property tax and the reduction in the 2021 property tax assessment is \$224,350.00 or \$4,067.47 in 2021 property tax.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Carlstadt that a refund in the amount of \$32,698.62 is approved and the Tax Collector shall adjust his books accordingly. (2017: \$7,594.45; 2018: \$8,666.30, 2019: \$9,268.59, 2020: \$3,101.81, 2021: \$4,067.47).

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, John Bang, 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:  
Andrew S. Kessler; Plaintiff's Attorney Trust Account

and shall be mailed to  
Saiber, LLC  
18 Columbia Turnpike, Suite 200  
Florham Park, NJ 07932-2266

**RESOLUTION NO. 2023-213**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of KW Holdings, LLC for property located at 625 Gotham Parkway, Carlstadt, New Jersey for Block 126 Lot 66 as per Docket No. 008387-2019 dated 3/30/2023 reducing the 2019 property tax assessment from \$3,143,600.00 to \$3,000,000.00 and as per Docket No. 005836-2020 dated 6/30/2023 reducing the 2020 property tax assessment from \$3,000,000.00 and as per Docket No. 008747-2021 dated 6/30/2023 reducing the 2021 property tax assessment from \$3,363,800.00 to \$3,000,000.00; and

**WHEREAS**, the reduction in the 2019 property tax assessment is \$143,600.00 or \$2,635.06 in 2019 property tax and the reduction of the 2020 property tax assessment is \$315,100.00 or \$5,593.03 in 2020 property tax and the reduction of the 2021 property tax assessment is \$363,800.00 or \$6,595.69 in 2021 property tax.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$14,823.78 and the Tax Collector shall adjust his books accordingly. (2019: \$2,635.06; 2020: \$5,593.03; 2021: \$6,595.69).

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, John Bang, 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 Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to:  
"Brach Eichler, LLC and KW Holdings LLC"

The refund shall be mailed to:  
Brach Eichler, LLC  
101 Eisenhower Parkway  
Roseland, NJ 07068

**RESOLUTION NO. 2023-214**

**WHEREAS**, the Governing Body of the Borough of Carlstadt approved Tax Appeal Resolution Number 2023-168 on June 12, 2023 for Washington Avenue Realty Holdings, Block 126 Lot 42 HM; and

**WHEREAS**, there was a correction issued on the Judgment referencing a Freeze Act only for year 2019 creating an additional amount due of \$675.28; and

**WHEREAS**, the refund amount of the 2019 Freeze Act year shall be \$4,183.80.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Carlstadt that a refund in the amount of \$675.28 is approved and the Tax Collector shall adjust his books to show same.

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

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

**RESOLUTION NO. 2023-215**

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

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1. American Legion Post # 69
2. The Local Pub
3. Redd's Restaurant

**RESOLUTION NO. 2023-216**  
**TO ENTER A GRANT AGREEMENT**

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Carlstadt wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$111,250.00 in 2023 Community Development Block Grant funds for:

**Broad Street Road Improvements**

**Broad Street Project**

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Robert J. Zimmermann, Mayor to be a signatory for the aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby authorizes Ashley Morrone, CFO to sign all County vouchers submitted in connection with the aforesaid project; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council recognizes that the Borough of Carlstadt is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

**RESOLUTION NO.2023-217**

**WHEREAS**, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for the renewal of three (3) limousine licenses; and

**WHEREAS**, the renewal 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 renew three (3) limousine licenses at 800 Central Boulevard, Carlstadt, NJ 07072 be and hereby is approved for Vin # 67882, # 67880 and # 67879.

**AND, BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized and directed to issue the renewal of the three (3) limousine licenses at the above referenced location for the period of one year, commencing August 17, 2023 and ending on August 17, 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. 2023-218**

**A Resolution Rescinding Approval of Liquor License No. 0205-33-016-011,  
335 PPR LLC for the Term 2023-2024**

**WHEREAS**, Resolution No. 2023-176 adopted by the Mayor and Council of the Borough of Carlstadt at a meeting held on June 21, 2023 approved the renewal of License No. 0205-33-016-011 for the 2023-2024 license term; and

**WHEREAS**, subsequent to the adoption of the above Resolution, the Municipal Clerk of the Borough of Carlstadt was advised by the Division of Alcoholic Beverage Control that License No. 0205-33-016-011 was required to petition for relief pursuant to N.J.S.A. 33:1-12.39 for the 2023-2024 license term, but has failed to do so thereby requiring the approval of the license to be rescinded.

**NOW, THEREFORE BE IT RESOLVED** the Mayor and Council of the Borough of Carlstadt hereby rescinds the approval of License No. 0205-33-016-011 for the 2023-2024 license term; and

**BE IT FURTHER RESOLVED** that 335 PPR LLC may seek approval of License No. 0205-33-016-011 upon receiving the required relief from the Division of Alcoholic Beverage Control.

Mayor Zimmermann entertained a motion to approve the Consent Agenda. On motion by Emerson, seconded by Lenoy, Councilmembers Stoltz, Lenoy, Emerson and Fonseca voted yes. Councilwoman DeBiase abstained on Resolution No. 2023-207 and voted yes on the other ones.

**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** – In the absence of Councilman Roseman, Councilman Lenoy had no report.

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

**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.

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**RECYCLING** – Councilman Stoltz read his report. This report will be filed.

**PROJECTS** – Councilwoman DeBiase reported progress.

**HUMAN RESOURCES** – Councilwoman Fonseca reported progress.

**REPORTS OF SPECIAL COMMITTEES**

None

**READING OF BILLS**

**RESOLUTION NO. 2023-219**

**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:

MEDICAL BENEFITS ACCT	\$ 164,782.18
CLAIRE FOY	704.23
MASTER PIZZA	295.75
MEDICAL BENEFITS ACCT	220,026.61
LOWE'S BUSINESS ACCT/GEMB	185.26
AGGRESSIVE ENERGY LLC	23,526.76
COMCAST	583.35
COUNTY OF BERGEN	1,798,566.00
COUNTY OPEN SPACE TRUST FUND	82,570.00
MCI COMM SERVICE	393.43
MEDICAL BENEFITS ACCT	118,513.96
PAYROLL ACCOUNT	459.58
PSE&G	15,821.67
THE STANDARD INSURANCE CO.	6,687.85
VERIZON	3,902.52
VERIZON	129.99
STATE OF NEW JERSEY	478.08
ABSOLUTELY FISH INC	49.98
AMERICAN PAPER & SUPPLY	1,132.84
ANDREW S. KESSLER ESQ.	96,945.52
APPRAISAL SYSTEMS INC.	3,300.00
ARAMARK UNIFORM SERVICES	499.34
ARROW ELEVATOR INC.	240.00
ASHLEY BROWN	150.00
ATLANTIC COAST RECYCLING LLC	12,309.70
BILL O'SHEA'S	162.95

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BOROUGH OF RUTHERFORD	11,392.51
BRACH EICHLER LLC AND	14,823.78
CARLSTADT BOARD OF EDUCATION	1,086,430.59
CLIFFHANGER PRODUCTIONS INC	1,500.00
COBBLESTONE HILL	12.80
COMPLETE SAW & GARDEN EQUIP.	100.00
CROSS COUNTRY BERGEN LLC	716.96
DAVID F. CORRIGAN	3,553.00
DELGADO INTERPRETING SERVICES	1,145.00
DENISE OEHLMANN	63.00
DESIGN-N-STITCH	566.00
DIRECT ENERGY BUSINESS	21.95
FIRE & SAFETY SERVICES	3,124.06
GREATAMERICA FINANCIAL SVCS.	58.50
HACKENSACK MERIDIAN HEALTH	3,600.00
HADDAD ELECTRIC LLC	343.33
HARRIS UNIFORMS INC	296.00
HOMETOWN AUTO PARTS	2,058.18
HUDSON TIRE EXCHANGE	7,038.26
HUDSON COUNTY MOTORS INC	118.61
I.D.A.	61,926.33
IMPRESSIVE PRINTING INC	7,741.48
INST. FOR PROFESS. DEVEL.	150.00
INTERSTATE WASTE SERVICES INC	22,901.99
JOSEPH R. DONAHUE LLC	8,403.33
JPR CYCLES LLC	450.00
KORSEN'S CARPET CLEANING	1,125.00
L.E.A.D. INC	398.00
LINDE GAS & EQUIPMENT INC	235.77
MASTER PIZZA	124.00
MATERA'S NURSERY, INC	1,332.00
MCNERNEY & ASSOCIATES, INC	800.00
MEADOWLANDS AREA YMCA	1,085.00
MORRIS COUNTY PUBLIC SAFETY	75.00
MSI TECHNOLOGIES LLC	1,998.50
NANCY ROSS	282.53
NASSOR ELCTRICAL SUPPLY, INC.	44.70
NATURE'S CHOICE CORP.	5,578.40
NEGLIA ENGINEERING ASSOCIATES	5,574.75
NJABC	66.00

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NJ DIV. OF ALCOHOLIC BEV. CONT	66.00
NJ FIRE EQUIPMENT CO., INC.	910.00
NJ PLANNING OFFICIALS	325.00
NJ STRIDERS TRACK CULB INC	2,184.00
NORTH JERSEY MEDIA GROUP INC	928.21
NORTHEAST SWEEPERS INC	13,493.44
PASQUALE & DELEASA LLC	3,000.00
PREMIER BUSINESS SOLUTIONS INC	3,957.50
PRESTI, ROSARIO JR., ESQ.	1,336.66
PSE&G	1,472.30
RCM CEBERIO LLC	6,167.50
REDICARE LLC	106.01
REGIONAL BOARD OF EDUCATION	615,551.83
RICCIARDI BROTHERS	225.36
RONALD P. MONDELLO	550.00
ROYAL TOUCH HAND CAR WASH CORP	500.00
SANITATION EQUIP. CORP.	54.60
SHARON DUNN	72.00
SHERWIN WILLIAMS, INC.	1,346.50
STAPLES ADVANTAGE	1,065.43
TRAFFIC SAFETY & EQUIPMENT INC	1,325.00
UNITED SITE SERVICES	544.90
VEOLIA WATER NEW JERSEY	2,452.29
ADPP ENTERPRISES INC	562.93
VERIZON	1,081.94
VERIELLA'S BAKERY	103.50
VERIZON	1,169.26
V.E. RALPH & SON, INC	165.16
VERBAL JUDO INSTITUE, INC	150.00
VERIZON BUSINESS	44.03
VIP CAR WASH & LUBE LLC	108.00
WASHINGTON AVE REALTY HOLDINGS	675.28
WERC WARRIORS	4,500.00
WESTERN PEST SERVICES	1,194.42
WOOD, LAWRENCE	91.00
WORLD INSURANCE ASSO. LLC	12,796.92
AGGRESSIVE ENERGY LLC	5,403.49
B&H PHOTO	2,057.71
CHASEN,LAMPARELLO,MALLON AND	6,889.10
MEDICAL BENEFITS ACCT	3,452.12

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PAYROLL ACCOUNT	447,681.53
PAYROLL ACCOUNT	460,137.24
MEDICAL BENEFITS ACCT	151,873.67
MEDICAL BENEFITS ACCT	211,594.26
VOYA FINANCIAL	5,540.00
VOYA FINANCIAL	6,020.00
VOYA FINANCIAL	6,020.00
PBA UNION DUES	1,100.00
DPW UNION DUES	540.00
AFLAC	1,187.54
PRUDENTIAL DCRP	1,083.63
FLEXIBLE SPENDING ACCOUNT	425.04
BORO OF CARLSTADT - CURRENT FD	39,729.64
BORO OF CARLSTADT - CURRENT FD	231.11
BORO OF CARLSTADT - CURRENT FD	349.77
NEW JERSEY ROOFING COMPANY	38,750.00
CHRISTMAS SPECTACULAR INC	41,601.00
CIRCLE D LIGHTS	1,400.00
EXTECH BUILDING MATERIALS	21,430.12
MARTIN J. FRONTIN	3,572.51
GARBARINI & CO.	3,000.00
NEGLIA ENGINEERING ASSOCIATES	184,702.24
JMS SIGNS	22,180.00
ROGUT MCCARTHY TROY LLC	839.72
NEGLIA ENGINEERING ASSOCIATES	1,383.25
T-MUGS	633.00
NATALE MACHINE & TOOL CO. INC	1,000.00

**(TOTAL)** \$ **5,886,553.28**

**TOTAL BILLS FOR THE MONTH** \$ **5,886,553.28**

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 hire Nicholas J. Kovacs and Daniel O. O'Beirne as Fire Inspectors to December 31, 2023. On motion by Stoltz, seconded by DeBiase, unanimous on call of roll of those present.

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Mayor Zimmermann entertained a motion to hire the following Stand By Crossing Guards pending on their background checks and training: Kristen Knapik, Melissa Tronziger, Shelly Herd-Garcia, Nolis Cezair, Theresa Stroebel and Sharon Liberta. On motion to motion by Stoltz, 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 DeBiase, unanimous on call of roll of those present.

Mayor Zimmermann asked if any citizen wished to speak.

**Stefan Kindberg, 742 8<sup>th</sup> Street** – he told the Mayor and Council he had a donation check for the Fire Department and he does not know who to contact. The Mayor told him that Mr. Crifasi can get from you and deliver it to the Fire Department.

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

Mayor Zimmermann asked David Corrigan, Esq. to update the Mayor and Council on the Shakers situation with the liquor license. Mr. Corrigan gave the Mayor and Council a long synopsis of the background on the renewal of the liquor license for Shakers. He mentioned that the Mayor and Council denied the application for 2023-2024 because it was not in the best interest of the public and he also said that the attorney representing Wil-Dam appealed the decision and he has not seen any changes on the ruling. The Attorney for Wil-Dam, Robert Williams, Esq. also explained the ruling was not in their favor and gave a background of the business since 1988 operation. Mr. Williams also mentioned that since the business was open until 2023, they did not have any complaints from ABC and the Mayor and Council approved the liquor license since 1988. He asked the Mayor and Council why after all these years since the operations started the license was approved and why now was denied.

## CONSIDERATION OF ORDINANCES

### FIRST READING

#### ORDINANCE NO. 23-6

#### **AN ORDINANCE ADDING CHAPTER XXIII, FERAL AND FREE-ROAMING CATS, TO THE CODE OF THE BOROUGH OF CARLSTADT**

### DEFINITIONS:

As used in this article, the following terms shall have the meanings indicated:

#### **Feral Cats**

Cats living in an unsocialized or wild state.

**Free-Roaming Cats**

Cats which roam outdoors. They may be outdoor cats with an owner, stray cats, or feral cats.

**Person**

Any individual, corporation, partnership, organization or institution commonly recognized by law as a unit.

§. Prohibited conduct.

No person shall feed, house or attract any feral or free-roaming cat on any property, whether public or private.

§ . Enforcement.

A. This article shall be enforced by the Code Enforcement Officer of the Borough of Carlstadt.

B. Any person found to be in violation of this article shall be ordered to cease the feeding, housing or attraction of any feral or free-roaming cat immediately.

§ . Violations and penalties.

Any person who violates or fails or refuses to comply with this article shall be liable to a penalty of not less than \$25 per day, nor more than \$100 per day, that the violation exists. Violations shall be prosecuted in the Municipal Court of the Borough.

**Effective Date**

This ordinance shall take effect upon its passage and publication, and filing with the Bergen County Planning Board, and as otherwise provided for by law.

**RESOLUTION NO. 2023-220**

**BE IT RESOLVED** that the ordinance entitled:

**AN ORDINANCE ADDING CHAPTER XXIII, FERAL AND FREE-ROAMING CATS,  
TO THE CODE OF THE BOROUGH OF CARLSTADT**

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 6<sup>th</sup> day of September, 2023 at 7:00 o'clock P.M. or as soon thereafter as the matter can be reached, at the regular meeting place of the Carlstadt Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be, and she hereby is, authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Mayor Zimmermann entertained a motion to introduce Ordinance No. 23-6. On motion by DeBiase, 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 conduct an executive session closed to the public 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 8:48 P.M. On motion by Stoltz, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to go back into open session at 9:05 P.M. On motion by Stoltz, seconded by DeBiase, unanimous on call of roll of those present.

**MISCELLANEOUS/NEW BUSINESS**

Mayor Zimmermann entertained a motion to ratify the purchase of flowers for the family of Patrick Fucci. On motion by Stoltz, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to approve the itinerary for the Carlstadt Soccer League Opening Day at the Recreation Complex. On motion by Emerson, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to approve one Special Police Officer for the Carlstadt Soccer League Opening Day. On motion by Emerson, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to approve a Special Police Officer for recreation events at Riggins Field. On motion by Stoltz, seconded by Emerson, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion for Christopher Assenheimer to take a public purchasing course. On motion by Emerson, seconded by Fonseca, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to adjourn the meeting at 9:13 P.M.  
On motion by DeBiase, seconded by Emerson, the meeting was unanimously adjourned.

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

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