

CAUCUS/FINANCE MEETING
December 6, 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, December 6, 2023 at 7:00 P.M.

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

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 November on projects that were done and present projects in the Borough of Carlstadt. A copy of his report is on file in the Borough Clerk's office.

Councilman Emerson had some questions regarding the recreation complex. They spoke about the entrances and asked if he could go over that. There are two separate entrances to the field facility. Mr. Polyniak went into detail on this. Councilman Emerson also asked about the one corner next to the complex building that was purchased if there is a lift in that corner. What is the game plan there? Mr. Polyniak said tomorrow the turf is going to be lifted. They envisioned based upon where that ponding is occurring, the pipe is cracked. It probably cracked during construction. He went into detail on this. Councilwoman Fonseca had some questions regarding the kitchen. Mr. Polyniak addressed her questions. Other issues were also discussed.

Robert Ceberio of RCM Ceberio, LLC Management Consultants read his report for the month of November 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. 2023-285
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, the Neglia Group, that the plans & specifications for:

**BROAD STREET ROADWAY IMPROVEMENTS (WASHINGTON STREET TO
MONROE STREET)**
(COMMUNITY DEVELOPMENT BLOCK GRANT 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. 2023-286

WHEREAS, Thomas Cox, Sr. former Zoning Official of the Borough of Carlstadt and his spouse, May Cox applied for Supplemental Health Benefits to provide secondary coverage to Medicare; and

WHEREAS, in recognition of his dedicated service to the Borough in excess of sixteen years by Resolution No. 2020-25-B the Mayor and Council approved and authorized reimbursement for a Medicare Supplement upon submission of the annual cost thereof.

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 \$3,332.50 representing payment from August 2022 to July 2023.

RESOLUTION NO. 2023-287

WHEREAS, notification was received that the following handicapped parking spaces are no longer needed and should be removed from these locations:

1. 606 Fifth Street
2. 451 Summit Avenue

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 spaces and that the Police Chief remove same from the certified list of handicapped parking spaces.

RESOLUTION NO. 2023-288
RESOLUTION TO ADVERTISE FOR BID

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, upon the recommendation of the Borough Engineer, the Neglia Group, that the plans & specifications for:

BERRY AVENUE ROADWAY EXTENSION AND RETAINING WALL
IMPROVEMENTS PROJECT

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 2023-289
RESOLUTION AUTHORIZING MAYOR TO EXECUTE
NJDEP TREATMENT WORKS APPLICATION

WHEREAS, the Applicant, is in the process of submitting an application to the New Jersey Department of Environmental Protection for property within the Borough of Carlstadt.

WHEREAS, the New Jersey Department of Environmental Protection requires a Statement of Consent from the Borough of Carlstadt for the Treatment Works Approval Application for the property identified on the Treatment Works Application and is located within the municipal boundaries of the Borough of Carlstadt; and

WHEREAS, the Borough Engineer has performed a thorough and appropriate review of the New Jersey Department of Environmental Protection Treatment Works Approval Application as well as supporting plans and documents for the above referenced project

WHEREAS, the consent document to be executed by the appropriate Borough Officials for the purposes hereinabove described is annexed hereto and made a part of this resolution.

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

1. The Mayor and Borough Clerk of the Borough of Carlstadt are hereby authorized and directed to execute the attached Statement of Consent for the Treatment Works Approval Application.
2. If applicable a Certificate of Availability of Funds pursuant to N.J.S.A. 40A:4-57 has been certified to by the Chief Finance Officer and is attached hereto and made a part hereof.
3. If applicable funds are subject to an appropriation by the Mayor and Council of the Borough of Carlstadt and will be provided by the local finance office when appropriated.

RESOLUTION NO. 2023-290
AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, Neglia Engineering Associates has provided the Borough with an Agreement for Professional Services for Broad Street – Monroe Street to Hackensack Street (NJDOT Municipal Aid Grant Funded)

WHEREAS, the Agreement for Professional Services includes a lump sum cost of \$35,755.00 representing Surveying and Engineering Services; and includes a not to exceed cost to be invoiced on a time basis (schedule in contract) of \$35,090.00 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. 2023-291
RESOLUTION AUTHORIZING CHANGE ORDER Nº 1 AND FINAL FOR
Additional work due to site conditions during construction.

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of the Borough Capital Improvements Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Various Sidewalk Slab Locations

CONTRACTOR: Balitano Contracting Company

CHANGE ORDER No.: 1 and Final

AMOUNT OF CHANGE THIS RESOLUTION: \$5,940.00 Increase: 19.80%

This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 2023-292

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the contract for the **Various Sidewalk Slab Locations** has been completed by **Balitano Contracting Company** 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 **Thirty-Five Thousand, Nine Hundred Forty Dollars and Zero Cents (\$35,940.00)** is hereby approved.

RESOLUTION NO. 2023-293

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the contract for the **8th Street Roadway Improvements (Division Avenue to Hoboken Road) (NJDOT Funded)** has been completed by **Smith Soudy Asphalt Construction Company Incorporated** in accordance with the Plans and Specifications, as directed by the Project Engineer. The said construction is hereby accepted for Payment No. 1 in the amount of **One Hundred Fifty-Nine Thousand One Hundred Twenty-One Dollars And Seven Cents (\$159,121.07)** is hereby approved.

RESOLUTION NO. 2023-294

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the contract for the **Carlyle Court Improvements And Borough Hall Firehouse Driveway Expansion** has been completed by **Smith Soudy Asphalt Construction Company Incorporated** in accordance with the Plans and Specifications, as directed by the Project Engineer. The said construction is hereby accepted for Payment No. 1 in the amount of **One Hundred Eighty-Two Thousand Seven Hundred Twenty-Six Dollars And Sixty-Eight Cents (\$182,726.68)** is hereby approved.

RESOLUTION NO. 2023-295

WHEREAS, John Occhiuzzo Jr. Retired Police Chief has filed a request for reimbursement for Medicare Part B premiums on behalf of himself for the year 2023 consistent with the Carlstadt SOA Contract and the Carlstadt PBA Local #312 following the filing of a formal grievance and the matter having proceeded to Arbitration with a finding in favor of the Carlstadt PBA Local #312; and

WHEREAS, the Opinion and Award of the Public Employment Relations Commission, PERC Docket No. AR 2009-98 provides for a reimbursement to be made from the date of the Opinion and thereafter.

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 representing reimbursement to John Occhiuzzo Jr. for the year 2023 in the amount of \$5,968.56 as evidenced by the documents submitted as proof thereof. Subsequent payment for future reimbursements shall be made upon request and proof of deductions submitted by John Occhiuzzo Jr.

RESOLUTION NO. 2023-296

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

1. 437 Hoboken Road

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

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

RESOLUTION NO. 2023-297
RESOLUTION AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS FROM MEDICAL CLAIMS ACCOUNT

WHEREAS, there exists outstanding checks in various bank accounts that are older than six months; and

WHEREAS, those checks need to be cancelled from the books and records of the Borough of Carlstadt.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt, State of New Jersey, that the following stale checks be cancelled and that the finance officer's records be adjusted to reflect the same.

MEDICAL CLAIMS

Check No.	Amount	Check No.	Amount
52172	\$ 180.55	53230	\$ 389.40
52212	\$ 262.29	53233	\$ 195.00
52222	\$ 495.00	53372	\$ 33.00
52241	\$ 85.10	53415	\$ 160.00
52267	\$ 57.12	53600	\$ 280.00
52361	\$ 87.43	53725	\$ 595.56
52463	\$ 231.50	53947	\$ 10.18
52620	\$ 20.46	54048	\$ 35.00
52825	\$ 8.60	54305	\$ 196.00
52826	\$ 44.58	54392	\$ 100.00
52857	\$ 567.85	54452	\$ 80.70
53054	\$ 782.50	54602	\$ 230.55
53098	\$ 120.00	54635	\$ 139.05
53104	\$ 120.00	54657	34.34

AND, BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Chief Financial Officer of the Borough of Carlstadt for her records.

RESOLUTION NO. 2023-298
AUTHORIZE BUDGET TRANSFERS BETWEEN APPROPRIATION
ACCOUNTS PURSUANT TO N.J.S.A. 40a:40-1

WHEREAS, certain transfers of funds for various 2023 budget appropriations are necessary to cover anticipated expenditures; and

WHEREAS, N.J.S.A. 40a:4-58 provides for transfer of appropriations with an excess over and above the amount deemed necessary to fulfil their purposes to those appropriations deemed to be insufficient; and

WHEREAS, the appropriations subject to fund transfers hereby are not within those restricted by N.J.S.A. 40a:4-58 for transfer purposes.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Carlstadt that the Chief Financial Officer shall and is hereby authorized to make transfers between appropriations accounts of the 2023 Municipal Budget as follows:

<u>DESCRIPTION</u>	<u>TRANSER FROM</u>	<u>TRANSFER TO</u>
GOVERNING BODY SALARY AND WAGES	22.42	
ADMINISTRATIVE & EXECUTIVE OTHER EXPENSES		\$ 8,500.00
ELECTION OTHER EXPENSES	\$ 1,590.44	
FINANCE OTHER EXPENSES		\$ 14,000.00
TAX COLLECTOR SALARY AND WAGES	\$ 400.00	
TAX COLLECTOR OTHER EXPENSES		\$ 170.00
LEGAL OTHER EXPENSES		\$ 2,000.00
TAX APPEALS		\$ 6,000.00
ENGINEERING OTHER EXPENSES		\$ 22,000.00
PLANNING BOARD OTHER EXPENSES	\$ 570.00	
ZONING OFFICAL OTHER EXPENSES	\$ 271.86	
CONSTRUCTION SALARY AND WAGES	\$ 1,477.47	
EMPLOYEE GROUP INSURANCE		\$ 21,370.00
UNEMPLOYMENT INSURANCE		\$ 2,950.00
POLICE SALARY AND WAGES		\$ 10,000.00
POLICE OTHER EXPENSES	\$ 10,000.00	
SPECIAL POLICE	\$ 4,700.00	
OEM OTHER EXPENSES	\$ 3,592.08	
FIRE SAFETY SALARY AND WAGES	\$ 4,000.00	
STREETS AND ROADS SALARY AND WAGES	\$ 15,000.00	
STREETS AND ROADS OTHER EXPENSES	\$ 30,000.00	
RECYCLING SALARY AND WAGES		\$ 1,132.09
BUILDINGS AND GROUNDS SALARY AND WAGES	\$ 12,000.00	
BUILDINGS AND GROUNDS OTHER EXPENSES	\$ 6,700.00	
BORO MECHANIC SALARY AND WAGES		\$ 2,000.00
BORO MECHANIC OTHER EXPENSES	\$ 10,000.00	
RECREATION OTHER EXPENSES		\$ 6,000.00
SOLID WASTE REMOVAL		\$ 2,400.00
SOCIAL SECURITY		\$ 2,400.00
STATUTORY EXPENDITURES - PFRS	\$ 620.24	
	\$ 100,922.09	\$ 100,922.09

RESOLUTION NO.2023-299
**BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) APPLICATION – CARLSTADT BOROUGH HALL – ADA
RESTROOM IMPROVEMENTS
MUNICIPAL ENDORSING RESOLUTION**

WHEREAS, a Bergen County Community Development Block Grant totaling \$179,760.00 has been proposed by the Borough of Carlstadt for the Carlstadt Borough Hall – ADA Restroom Improvements in the Borough of Carlstadt; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Carlstadt; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application; and

NOW, THEREFORE BE IT RESOLVED by the Borough of Carlstadt Mayor and Council hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, N.J. 07601) so that implementation of the aforesaid project may be expedited.

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

CORRESPONDENCE

A letter was received from Margaret Brislin. She is requesting to change her 6-month payout to be in a lump sum in January.

Mayor Zimmermann entertained a motion to approve her request.
On motion by Roseman, seconded by Stoltz, unanimous on call of roll.

A letter was received from Chris Assenheimer, Secretary-Board of Officers, Carlstadt Fire Department accepting the retirement of Gene Popejoy, Jr. from Engine Three of the Carlstadt Fire Department. All of his equipment has been returned.

Mayor Zimmermann entertained a motion to approve this with regrets. On motion by Roseman, seconded by Stoltz, unanimous on call of roll.

Councilman Roseman said the Turn Hall is hosting the girls cheerleading. They have to pay for their heat and they are requesting that we reimburse them.

Mayor Zimmermann entertained a motion to approve this request. On motion by Roseman, seconded by Stoltz, unanimous on call of roll.

Mayor Zimmermann said we have received letters from the following people in Borough Hall to sell back two weeks vacation time: Claire Foy, Ginny Bello, Kim Kozel, Jean Oosterwyk and one week vacation time from Hernan Lopez.

Mayor Zimmermann entertained a motion to approve this request. On motion by Fonseca, seconded by Emerson, unanimous on call of roll.

Mayor Zimmermann said a memo was received from Anthony Silletto III, Fire Official requesting a designated parking space in front of his residence at 57 Carlyle Court for the Fire Official vehicle pursuant to Borough Ordinance 10-3.12 Parking for Official Borough Vehicles.

Mayor Zimmermann entertained a motion to approve this request. On motion Emerson, seconded by Stoltz, unanimous on call of roll.

Mayor Zimmermann said we received correspondence from Cliffhanger Productions, Inc. for the Holiday Float. The price is \$6,000.00 for Saturday, December 16, 2023. Time will be from 3:30 P.M. to 6:30 P.M.

Mayor Zimmermann entertained a motion to approve this request. On motion by Emerson, seconded by Fonseca, unanimous on call of roll.

Mayor Zimmermann entertained a motion to approve the minutes of November 15, 2023, Caucus and Council Meetings, open and closed session.

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

Mayor Roseman entertained a motion to approve a \$200.00 gift card for Margo Brislin.

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

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.

Mayor Zimmermann asked if there was any citizen that wished to speak.

Don Molzon, 530 Madison Street – he mentioned last week he saw the Christmas signs on Hackensack Street. He went out to dinner that night and someone said the signs were down. He passed there this morning and the signs were down, hanging up and down. Councilwoman Fonseca said a tractor trailer ran through them and pulled them down.

Mayor Zimmermann asked if any other citizen wished to speak.

Gunter Kuprat, 507 Washington Street – he just wanted to say he was very upset to see this too.

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

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

CONSIDERATION OF ORDINANCES

FIRST READING

ORDINANCE NO. 23-7

ORDINANCE AUTHORIZING FINANCIAL AGREEMENT FOR A WAREHOUSING AND DISTRIBUTION FACILITY TO BE CONSTRUCTED UPON REAL PROPERTY COMMONLY KNOWN AS 245 PATERSON PLANK ROAD, BLOCK 128, LOT 8, BOROUGH TAX MAP DESIGNATION BY TERRENO PATERSON PLANK III URBAN RENEWAL LLC., AN URBAN REVEWAL ENTITY, PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ. (LONG TERM TAX EXEMPTION LAW).

WHEREAS, TERRENO PATERSON PLANK III URBAN RENEWAL LLC., (the “Entity”), is an urban renewal entity, formed under the laws of the State of New Jersey and qualified to do business in the State of New Jersey and qualified to do business under the provisions of the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.); and

WHEREAS, the New Jersey Meadowlands Commission (“NJMC”) passed a Resolution designating an area containing approximately 250 acres, known as the Paterson Plank Road Redevelopment Area, (the “Area”) which include Block 128, Lot 8, tax map reference, Borough of Carlstadt, (the “Project Area”) as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the Borough of Carlstadt (the “Borough”) has by Ordinance 20-6, adopted October 7, 2020, adopted the NJSEA master plan, zoning ordinances, codes and redevelopment plans and the Paterson Plank Road Redevelopment plan amended December 19, 2021; and

WHEREAS, the NJMC, now the New Jersey Sports and Exposition Authority, (the “NJSEA”) has preemptive jurisdiction over redevelopment of property within its jurisdiction; and

WHEREAS, on September 29, 2003, the NJMC passed Resolution No. 03-66, later revised by Resolution 12-55 adopted on December 19, 2022, adopting a Redevelopment Plan for the Area (the “Redevelopment Plan”) pursuant to Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, consistent with the Redevelopment Plan, the Entity, as transferee from Terreno Paterson Plank III, LLC, the Redeveloper of the Project pursuant to a Redevelopment Agreement dated November 21, 2023 between the Redeveloper and the Borough, intends to redevelop the Project Area into a warehouse distribution facility consisting of approximately 45,000 square feet in size, the Project Area and the improvements to be constructed thereon the project (“Project”); and

WHEREAS, the Project was approved by the Borough of Carlstadt Planning Board under Application Number 2023-4-1 on April 24, 2023 and memorialized by Resolution adopted June 26, 2023.; and

WHEREAS, the Entity has filed a long-term tax exemption application with the Borough (the" Application"); and

WHEREAS, the Borough finds the Project will have the following benefits:

- A. The Project involves the demolition of an abandoned building in poor condition and the construction of an approximately 45,000 square foot warehouse/distribution facility and associated site improvements at 245 Paterson Plank Road.
- B. The Project will revitalize this property, currently in poor, unattractive and unsafe condition and return it to productive use in accordance with the goals and objectives of the Paterson Plank Road Redevelopment Plan.
- C. The area is currently undergoing extensive redevelopment and this Project will be in keeping with that progress.
- D. The Project will create local jobs during the construction phase of the Project and permanent jobs thereafter.
- E. The Project conforms to the applicable zoning requirements of the Paterson plank Road redevelopment Plan and has received approval from the Borough of Carlstadt Planning Board.
- F. The Project will not place any demand on school services and will have a low demand for municipal services in general.
- G. The Project is estimated to be a low user of water and sewer services but will pay fees levied for such use and pay permit fees and water and sewer connection fees.
- H. The employment created will benefit local businesses and provide potential employment opportunities for local residents.
- I. The Project will be a positive improvement on the aesthetics of the area by eliminating an abandoned, unattractive structure and The Project will provide an attractive, well landscaped appearance to the public.
- J. The relative stability and predictability of the service charges will allow the owner to stabilize its operating budget, allowing a high level of maintenance to the Project over the life of the Project, which will help ensure the success of the Project and thus help insure a positive impact on the surrounding area; and
- K. The relative stability and predictability of the annual service charges will make the Project more attractive to investors and lenders needed to finance the Project; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Carlstadt, County of Bergen, State of New Jersey that:

1. The Application of **TERRENO PATERSON PLANK III URBAN RENEWAL LLC.**, an urban renewal entity formed in the State of New Jersey and authorized to do business in the State of New Jersey under the provisions of the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.), a copy of which shall be placed on file with the Borough

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Clerk, for Block 128, Lot 8, commonly known as 245 Paterson Plank Road, is hereby accepted and approved.

2. The Mayor and Borough Clerk are hereby authorized and directed to execute a Financial Agreement substantially in the form attached hereto and made a part hereof, for an exemption term of 30 years upon the Project's substantial completion pursuant to the Annual Service Charges, plus any administrative or other fees as provided for in the Financial Agreement attached.
3. All ordinances, or parts of ordinances inconsistent herewith, are hereby repealed to the extent of such inconsistencies.
4. This Ordinance shall take effect immediately upon final passage and publication pursuant to law.

RESOLUTION NO. 2023-300

BE IT RESOLVED that the ordinance entitled:

ORDINANCE AUTHORIZING FINANCIAL AGREEMENT FOR A WAREHOUSING AND DISTRIBUTION FACILITY TO BE CONSTRUCTED UPON REAL PROPERTY COMMONLY KNOWN AS 245 PATERSON PLANK ROAD, BLOCK 128, LOT 8, BOROUGH TAX MAP DESIGNATION BY TERRENO PATERSON PLANK III URBAN RENEWAL LLC., AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ. (LONG TERM TAX EXEMPTION LAW).

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 20th day of December, 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 notion 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 approve this ordinance on first reading. On motion by Stoltz, seconded by Roseman, unanimous on call of roll.

ORDINANCE NO. 23-8

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 2024.

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 2024	
BE IT ORDAINED , by the Mayor and Council of the Borough of Carlstadt, County of Bergen and State of New Jersey as follows:	
SECTION 1 <u>Bi-Weekly</u>	
The rate of compensation of each officer and employee of the Borough of Carlstadt, whose salary shall be on an annual basis and shall be paid Bi-Weekly is:	
2024	
Borough Clerk	136,504.55
Deputy Borough Clerk	3,000.00
Chief Financial Officer / Treasurer	75,000.00 (129,375.00) 135,000.00
Certified Qualified Purchasing Agent	1.00 – 15,000.00
Assistant Certified Qualified Purchasing Agent	1.00 – 7,500.00
Assistant CFO/Treasurer	50,000.00 – 75,000.00
Clerk for C.F.O.	2,000.00
Zoning Dept Clerk / Construction Dept Clerk	70,479.37
Reports Management Clerk	56,865.21
Records Management Clerk Part Time	26.89/hr
Clerk Typist - Full Time/Part Time	15.00 – 28.00/hr
Police Records Clerk/Crossing Guard Coordinator	53,045.00
Carlstadt Court Administrator	64,132.61
Deputy Court Administrator Carlstadt/Wallington Shared Service	56,003.89
Wallington Court Administrator	16,283.27
Housing Code Official	65,331.28
Borough Vehicle & Equipment Coordinator / Snow Control	50,000.00 -(72,100.00)– 75,000.00
Senior Payroll Clerk / Insurance Officer	97,828.10

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Assistant to Senior Payroll Clerk / Records Management / Assistant to CFO	5,000 - 50,000.00
Director of Public Works Operations, Maintenance and Equipment	68,098.42
DPW Operations Manager / Project Coordinator / Borough Administrator	96,651.95
DPW Supervisor (non-union)	52,000.00 – 75,000.00
Front Desk Reception	48,624.23
Public Works Administrative Assistant	52,000.00 – 62,000.00
Part Time Public Works Administrative Assistant	20.00-32.00/hr
Senior Transport Driver	45,246.55
Tax Collector	81,683.80
Assistant Tax Collector	3,500.00
Deputy Zoning Code Enforcement Official	6,000.00
Zoning Code Officer - PT Commercial/Industrial zone	40,000.00 (47,000.00) 50,000.00
Code Enforcement Officer -FT	33,450.99
Code Enforcement - PT	15.00 – 17.00/hr
Police Matron (minimum 2 hrs. - per hr.)	20.00 / hr
Special Police (per hour)	20.00 / hr
Special Police Traffic Detail (per hour)	40.00/hr
Deputy Project Coordinator	5,000.00
Recreation Advisor	9,888.00
Recreation/Summer Camp Transportation	5,000.00
School Marshals (per shift)	42.36 / shift
Police Dispatchers (Full time)	45,000.00 - (52,000.00)- 57,000.00
EMT Drivers part-time or temporary	(22.00)-24.00 / hr
Part-time Police Dispatchers (Max.16 Hrs per week)	18.00 / hr
SECTION 2 <u>Monthly</u>	
2A The rate of compensation of each officer and employee of the Borough of Carlstadt, whose salary shall be on an annual basis, and shall be paid Monthly is as follows:	
Assessment Searcher	1,500.00
Assistant to the Assessor	1,500.00
Assistant to the Registrar	500.00
Assistant Records Management	5,000.00
Assistant to Safety Delegate	2,000.00
Clerk Planning Board	5,200.00
Custodian Washington Ave. Firehouse	1,100.00
Election Clerk	2,500.00
Emergency Mgt. Service Director	6,000.00

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Land Use Administrator	2,500.00 (5,356.00) 10,000.00
Assistant Land Use Administrator	2,500.00 (5,356.00) 10,000.00
LOSAP Administrator	3,000.00
Communication Officer	15,000 - 20,000
Municipal Housing Liaison	1.00
Parks Inspector	3,000.00
Public Defender/Alternate Public Defender	200.00 / per session
Information Technology (IT) Coordinator	5,000 – 15,000
Tax Assessor	28,706.00
Tax Searcher	1,500.00
Borough Attorney	85,000.00 (102,000.00) 110,000.00
Attorney to Zoning, Construction Board & Zoning Board of Adjustment	6,600.00
Secretary to Zoning Board of Adjustment	2,000.00
2 B Secretary of the Recycling Committee \$100.00 per meeting to be paid out of Recycling money.	100.00 / per meeting
Chairperson of Recycling Committee	1,000.00 / per year
2C Social Services Coordinator of the Borough of Carlstadt payable in equal monthly installments. In addition to the yearly salary, the Social Services Coordinator shall receive a telephone with an answering machine to be located in her home and paid for by the Borough.	6,000.00
Social Services Assistant Coordinator	3,500.00
2D	
Mayor	9,614.68
Each Council Member	7,045.68
Magistrate	34,436.07
Prosecutor	11,653.52
Sub-Code Building Inspector/Building	10,300.00
Sub-Code Building HHS Plan review	6,180.00
Sub-Code Electrical Inspector	24,358.26
Sub-Code Fire Official	35,119.29
Sub-Code Fire Official with HHS Certification	12,875.00
SECTION 3 SEMI-ANNUALLY	
The rate of compensation of each Officer and Employee of the Borough of Carlstadt, whose salary shall be on an Annual basis and shall be paid Semi-Annual is as follows - May & September:	
3 A Telephone allowance of \$1,200.00 / yr for the Mayor & Council	

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3 B Telephone allowance of \$600.00 / yr for (4) Fire Chiefs and DPW Foremen using personal phones	
3 C Travel allowance of \$600.00 / yr CFO, Deputy Zoning Code Enforcement Official, Mayor and Council members	
SECTION 4 ANNUALLY	
The rate of compensation of each Officer and Employee of the Borough of Carlstadt, whose salary shall be on an Annual basis and shall be paid Annual is as follows:	
OEM – Assistant Director	600.00
Off-Duty Gun Allowance	1.00
SECTION 5 BOARD OF HEALTH	
The salary schedule for the Board of Health is hereby established as follows:	
5 A The Registrar of Vital Statistics shall receive equal monthly installments.	5,216.73
5 B The Doctor of the Board of Health Baby Keep Well shall be paid \$125.00 per hour upon presentation of proper voucher.	
5 C Board of Health – CHAPTER 329 The Attorney for the Board of Health shall receive \$300.00 for every regular meeting attended and fees for all legal services rendered as determined by the Mayor and Council upon presentation of proper voucher.	
In addition to the hourly rate, the Secretary shall receive for duties designated by the Board of Health, in equal monthly installments	2,813.77
SECTION 6 FIRE SAFETY BUREAU	
The Fire Safety Bureau Compensation is hereby established as follows:	
Fire Official (Part Time)	63,654.00
Senior Fire Inspector (per hour)	32.00
Fire Inspectors (per hour)	28.41
Secretary	56,939.96
Fire Official (yearly clothing allowance) (2)	500.00
Fire Training Inspector	1,590.00
6A FIRE DEPARTMENT	
All members of the Volunteer Fire Department Clothing Allowance and reimbursement for losses, is hereby established as follows:	

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LOSAP (in accordance with department policy and ordinance qualifications)	1,663.16
Answering 50% or more calls (per man)	2,060.00
(Less than 50% \$41.20 per % point of fires attended)	
Chief	6,651.00
1 st . Assistant Chief	5,985.00
Deputy Chief	5,321.000
Battalion Chief	4,645.00
Chiefs' Secretary	371.00
President	618.00
Board of Officers Secretary	618.00
Board of Officers Treasurer	309.00
Each Captain (5) (per man)	630.00
Each 1 st . Lieutenant (5) (per man)	525.00
Each 2 nd Lieutenant (5) (per man)	420.00
Each Mechanic (11) (per man)	386.00
Battery Man	386.00
Department Mechanic (per Hour) (\$15,000.00 – 20,000.00 maximum)	27.00
Probationary Member answering 50% or more calls (per man)	948.00
Probationary Members Less than 50% (\$18.96 per % point \$948.00 maximum)	
Retired Members	946.00
Members (with 25 years answering 25% or more calls)	2,060.00
(Less than 25% \$41.20 less for each percentage point below 25%)	
Board of Officers Committees (20)	201.00
Training Officer (2)	371.00
Quartermaster	371.00
Equipment Sourcing	371.00
Safety/Insurance	371.00
Losap Coordinator	371.00
Drill Coordinator	371.00
Historian	371.00
Chaplain	371.00
Public Information	371.00
Computer	371.00
Driver Instructor	371.00
FD Committees (30)	201.00
Department Safety Officer	381.00
FD Webmaster	371.00

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Record Clerk		800.00
SECTION 7 POLICE		
	2023	2024
Chief of Police		
Deputy Chief	188,000.00	
Each Lieutenant – Per Contract	184,255.00	189,322.00
Each Sergeant – Per Contract	170,013.00	174,689.00
Each Patrolman – Per Contract		Below
Each Patrolman - Per Contract		Below
The salary schedule for the Patrolman of the Carlstadt Police Department hired prior to July 1, 2011 is hereby established as follows: (Hired on or after January 1, 2000)		
	<u>2023</u>	<u>2024</u>
0 – 1 Year	62,581.00	64,302.00
1 - 2 Years	71,873.00	73,850.00
2 - 3 Years	83,490.00	85,786.00
3 - 4 Years	95,275.00	97,895.00
4 - 5 Years	103,559.00	106,407.00
5 - 6 Years	109,245.00	112,249.00
6 - 7 Years	123,212.00	126,601.00
Maximum (over 7 years)	158,055.00	162,402.00
The salary schedule for Patrolman of the Carlstadt Police Department hired on or after July 1, 2011 is hereby established as follows: (Hired on or after July 1, 2011)		
	<u>2023</u>	<u>2024</u>
Academy	30,754.00	31,600.00
Remainder of 1st Year	36,905.00	37,920.00
1 - 2 Years	46,725.00	48,010.00
2 - 3 Years	56,545.00	58,100.00
3 - 4 Years	66,366.00	68,191.00
4 - 5 Years	76,186.00	78,281.00
5 - 6 Years	86,006.00	88,371.00
6 - 7 Years	95,827.00	98,462.00
7 - 8 Years	105,647.00	108,522.00

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8 - 9 Years	115,467.00
	118,642.00
9 - 10 Years	125,286.00
	128,732.00
MAXIMUM	158,055.00
	162,402.00
7 A The members of the Detective Bureau shall receive an additional \$1,150.00 per year.	
7 B Unless otherwise provided for by individual Contract, Police Personnel shall receive College incentive pay at the rate of \$1,000.00 per year for A.A. Degree, \$1,500.00 per year for B.A./B.S. Degree and \$2,000.00 for M.A. Degree. as per contract.	
7 C " Juvenile Officers shall receive the sum of six hundred (\$600.00) dollars per year which shall be included in the applicable officer's annual salary, per contract."	
7 D Police Dispatcher's non-accountable clothing allowance per year	500.00
Special Police non-accountable clothing allowance per year	100.00
7 E Upon completion of twenty-five (25) years of service (as defined by the Police and Fire Pension Statutes) each employee of the Carlstadt Police Department shall receive compensation for six of the holidays in paid compensation.	
7 F Over time rate is based on 1936 hours beginning January 1, 2001	
SECTION 8 D.P.W. /BUILDINGS & GROUNDS	
Crewmen (per hour) new hires after January 1, 1997:	
	2023
Building & Grounds (per hour)	48.93
Foreman (per hour)	50.78
Laborers (per hour) new hires after January 1, 1997	46.62
Driver (per hour) new hires after January 1, 1997:	47.69
Max (over 4 full years and 1 day) Hired after 1/1/08 and prior to 1/1/17	
Max (over 14 full years and 1 day) Hired after 1/1/17	
New steps as of January 1, 2017:	Contractual 2021 - 2023
	2023
1 year	17.00
2 years	21.00
3 years	23.00
4 years	26.00
5 years	29.00
6 years	30.00
7 years	31.00

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8 years				32.00
9 years				33.00
10 years				34.00
11 years				36.00
12 years				37.00
13 years				41.00
14 years	Current Laborer Rate			
8 A All members of the Building and Grounds Crew, Foremen, Drivers and Laborers of the Department of Public Works shall be paid time and one half for work periods after forty (40) hours.				
8 B All members of the Buildings and Grounds Department and Department of Public Works shall receive, in addition to the compensation herein set for them the sum of \$1,250.00 each for the purpose of defraying the cost of their clothing to be paid in Jan. Only for employees in the pay steps until they meet top scale.				
8 C In addition, each employee covered by the D.P.W. Contract shall be entitled to receive compensation at their regular current rate for any unused sick time remain from the current year, to be paid at the last pay period for the calendar year.				
8 D Drivers and/or laborers and/or helpers shall receive an additional fifty (.50) cents per hour when working on tree truck only when performing a task which requires the use of the elevated bucket, chipper, chain saw, stump grinder or other hazardous equipment				
8 E Year Round Part-Time Employees (25 hours per week max) Part Time Employees are not eligible to be paid for overtime, sick days, holidays, or vacation days.				15.00 / hr
8 F Part Time employees for the Building and Grounds Department and D.P.W. paid as follows: Part Time Employees are not eligible to be paid for overtime, sick days, holidays, or vacation days.				15.00 / hr
8G Part Time seasonal DPW Snow Shoveling 20.00/hr				35.00/hr
Part Time seasonal DPW Plow Driver				
8 H Summer employees for Recreation shall be paid as follows: Summer Employees are not eligible to be paid for overtime, sick days, holidays, or vacation days.				
Director	(Maximum 7 weeks)	30 hrs max/wk		900.00 / week
Assistant Director	(Maximum 7 weeks)	30 hrs max/wk	0.00 / week	75
Senior Counselors (max 4)	(Maximum 7 weeks)	30 hrs max/wk		16.50 / hr
Counselors	(Maximum 6 weeks)	30 hrs max/wk		15.00 / hr
8 I				
Audio/Visual Tech part time/per assignment		per hour		15.00
Mini Bus Driver part time		per		25.00

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	hour		
Substitute Driver part time	per hour		23.00
Substitute Driver Senior Transport part time	per hour		15.00
8 J			
Full Time Crossing Guards Clothing Allowance once per year payable in June			150.00
Part-Time Crossing Guards Clothing Allowance once per year payable in June			75.00
SECTION 9 LONGEVITY			
9 A In addition to the salaries and compensations to be paid to the foregoing Officers and Employees of the Borough of Carlstadt there shall be added to the base salary, for non-contractual employees hired prior to May 1, 1997, a longevity supplement of 1% upon completion of each 5 years of employment for full time employees.			
9 B If the employee's anniversary date falls prior to June 30 longevity will be given in that year. However, employee's anniversary dates which fall after the June 30 cut off will receive longevity in the following calendar year.			
9 C PBA - Pursuant to the current PBA Contract, the longevity supplement shall be 1% for every 4 years of employment for employees with nine (9) or less years of completed service. After 10 complete years of service, longevity shall be 1% for every 3 years of service. Maximum longevity for employees hired on or after January 1, 1996 shall not exceed eight (8%) percent. Employees hired on or after January 1, 2017 shall not be entitled to receive longevity.			
9 D DPW - Pursuant to the current DPW contract, the longevity supplement shall be: 1% after 3 years; 2% after six years; 3% after nine years; 4% after twelve years; 6% after eighteen years; 7% after twenty-one years; 8% after twenty-four years; 9% after twenty-seven years and 10% after thirty years. Employees hired on or after January 1, 2017 shall not be entitled to receive longevity.			
SECTION 10			
In the event that any provision of this ordinance shall be declared invalid by any court of competent jurisdiction, such declaration of invalidity shall not affect the remaining provisions of this ordinance except insofar as such provision of this ordinance as is declared invalid shall be inseparable from the remainder of any provisions thereof.			
SECTION 11			
Any ordinances or amendments thereto which are in conflict with or inconsistent with the terms of this ordinance are hereby repealed to the extent that they are in conflict with or inconsistent with the terms of this ordinance.			
SECTION 12			
This ordinance established shall take effect after publication pursuant to law as of January 1, 2024.			

RESOLUTION NO. 2023-301

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 2024.

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 20th day of December, 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

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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 approve this ordinance on first reading. On motion by Emerson, seconded by Roseman, unanimous on call of roll.

ORDINANCE NO. 23-9

PRIVATELY OWNED SALT STORAGE

SECTION I. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of Carlstadt to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. "Storm drain inlet" means the point of entry into the storm sewer system.

- D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 3. The structure shall be erected on an impermeable slab;
 4. The structure cannot be open sided; and
 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. "Resident" means a person who resides on a residential property where de-icing material is stored.

SECTION III. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked

materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;

4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
5. Containers must be sealed when not in use; and
6. The site shall be free of all de-icing materials between April 16th and October 14th.
 - B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.
 - C. All temporary and/or permanent structures referenced herein must comply with all other local ordinances, building and zoning regulations.
 - D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure

that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. Enforcement:

This ordinance shall be enforced by the Carlstadt Police Department and/ or the Borough Administrator and/or the Borough Administrator's designees during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows:

- a. First Violation: \$200.00;
- b. Second Violation: \$500.00;
- c. Third Violation: \$1,000.00, plus revocation of business license.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

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SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Effective Date. This Ordinance shall take effect upon approval of the Governing Body of the Borough of Carlstadt and publication as required by law.

RESOLUTION NO. 2023-302

BE IT RESOLVED that the ordinance entitled:

PRIVATELY OWNED SALT STORAGE

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 20th day of December, 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 of 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 approve this ordinance on first reading.
On motion by Fonseca, seconded by Roseman, unanimous on call of roll.

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

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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt hereby moves to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. Seq. for the purpose of discussing one or more of the following subjects: personnel and property.

AND, BE IT FURTHER RESOLVED that the public will be informed either later this evening after reconvening the public meeting or at a future public meeting said date is not predictable at the present time.

AND, BE IT FURTHER RESOLVED that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

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

The meeting went back into open session at 10:50 P.M. On motion by Roseman, seconded by Fonseca, unanimous on call of roll.

Joseph Crifasi requested a motion to have the Mayor sign the executed retirement package and standard contract terms for the retirement of John Cleary.

On motion by Emerson, seconded by Roseman, unanimous on call of roll.

Mayor Zimmermann entertained a motion to adjourn the meeting at 11:00 P.M. On motion by DeBiase, seconded by Emerson, unanimous on call of roll.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK