

**CAUCUS/FINANCE MEETING**

**June 5, 2024**

**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, June 5, 2024 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 10, 2024 and the Herald News on January 10, 2024 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 May 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.

Robert Ceberio of RCM Ceberio, LLC Management Consultants read his report for the month of May 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**RESOLUTION NO. 2024-130 (Rescinded and replaced with Resolution No. 2024-148)**

**RESOLUTION REAPPOINTING BOROUGH TAX ASSESSOR**

**WHEREAS**, the Borough of Carlstadt is required to have a Municipal Tax Assessor pursuant to N.J.S.A. 40A:9-146; and

**WHEREAS**, William A. Yirce, Jr. has all the requisite training and credentials necessary for the position of Tax Assessor; and

**WHEREAS**, the Mayor and Council desire to reappoint William A. Yirce, Jr. to the position of Borough Tax Assessor for an additional four (4) years commencing on July 1, 2024 through June 30, 2028.

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**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, County of Bergen and State of New Jersey as follows:

1. William A. Yirce, Jr. is reappointed to the position of Borough Tax Assessor of the Borough of Carlstadt commencing July 1, 2024 for a four (4) year term ending June 30, 2028.

2. The 2024 salary for this position shall be \$28,706.00. There are no benefits for this position.

**RESOLUTION NO. 2024-131**

**WHEREAS**, it is upon the advice and recommendation of the Tax Assessor, Special Tax Appeal Counsel and Appraisal Expert to confirm the recommended property tax appeal settlement as follows:

- **Block 131.01 Lot 15      410-420 Commerce Boulevard**
- The property is owned by Plaintiffs, Sungard Availability Services LP; Sungard Availability Services LP Tenant in a Parcel Owned by 410 Commerce L.L.C.; Sungard Availability Services LP, Tenant in a Parcel Owned by 410 Commerce LLC; 410 Commerce L.L.C.; 410 Commerce LLC

The within Resolution relates to the settlement of the pending tax appeal matter entitled Sungard Availability Services LP, Tenant v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **005342-2016**; Sungard Availability Services LP, Tenant in a Parcel Owned by 410 Commerce L.L.C. v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **004824-2017 and 004346-2019**; Sungard Availability Services LP, Tenant in a Parcel Owned by 410 Commerce LLC v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **002201-2018**; 410 Commerce L.L.C. v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **006907-2018 and 004376-2019**; 410 Commerce LLC v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **005780-2020, 006706-2021, 005037-2022**.

- The proposed settlement terms and conditions related to this matter reflect a refund of **\$50,000.73**.
- Cash refund to be paid no later than ninety (90) days of the date of the Tax Court judgment; and

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

**NOW, THEREFORE BE IT RESOLVED** by the Mayor & Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the Borough Tax Counsel is hereby authorized and directed to further prepare, execute any and all documents necessary in order to facilitate the further processing for the above stated tax appeal settlement, with copies of same to the Borough Clerk, Borough Attorney, Borough Tax Collector and Borough Tax Assessor.

**RESOLUTION NO. 2024-132**

**WHEREAS**, it is upon the advice and recommendation of the Tax Assessor, Special Tax Appeal Counsel and Appraisal Expert to confirm the recommended property tax appeal settlement as follows:



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- The proposed settlement terms and conditions related to this matter reflect a refund of **\$12,906.55**.
- Refund to be paid no later than ninety (90) days of the date of the Tax Court judgment; and

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

**NOW, THEREFORE BE IT RESOLVED** by the Mayor & Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the Borough Tax Counsel is hereby authorized and directed to further prepare, execute any and all documents necessary in order to facilitate the further processing for the above stated tax appeal settlement, with copies of same to the Borough Clerk, Borough Attorney, Borough Tax Collector and Borough Tax Assessor.

**RESOLUTION NO. 2024-134**

**WHEREAS**, it is upon the advice and recommendation of the Tax Assessor, Special Tax Appeal Counsel, and the Borough Appraiser to seek formal approval of this property tax appeal matter as follows:

- **Block 110, Lot 3            326 Thirteenth Street**
- **Block 110, Lot 4            308 Thirteenth Street**
- **Block 110, Lot 5            300 Thirteenth Street**
- The property is owned by Plaintiff, Lucky 13<sup>th</sup> St Realty, LLC.
- The within Resolution relates to the settlement of the pending tax appeal matter entitled Lucky 13<sup>th</sup> St Realty, LLC v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 002554-2019, 005697-2020, 002840-2021, 005825-2022 and 004487-2023.
- The proposed settlement terms and conditions related to this matter reflect a refund of \$15,267.20.
- Refund payment to be made within ninety (90) days of the date of the Tax Court Judgment; and

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

**NOW, THEREFORE BE IT RESOLVED** by the Mayor & Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the Borough Special Tax Counsel is hereby authorized and directed to further prepare, execute any and all documents necessary in order to facilitate the further processing for the above stated tax appeal settlement, with copies of same to the Borough Clerk, Borough Attorney, Borough Tax Collector and Borough Tax Assessor.

**RESOLUTION NO. 2024-135**  
**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:

**2<sup>nd</sup> STREET PARK IMPROVEMENTS**  
**(BERGEN COUNTY OPEN SPACE TRUST 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. 2024-136**

**WHEREAS**, the Borough of Carlstadt has entered into a Three-Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30.

**NOW, THEREFORE BE IT RESOLVED** that the Governing Body hereby appoints Joseph Crifasi as its representative to participate on the Community Development Regional Committee; and

**BE IT FURTHER RESOLVED** that David Stoltz be appointed as the alternate representative; and

**BE IT FURTHER RESOLVED** that Gregory Polyniak be appointed as additional alternate representative.

**RESOLUTION NO. 2024-137**

**WHEREAS**, twelve (12) applications have been filed requesting renewal of Plenary Retail Consumption Licenses; and

**WHEREAS**, three (3) applications have been filed requesting renewal of Plenary Retail Distribution Licenses; and

**WHEREAS**, the regular fee of one thousand seventy-four dollars (\$1,074.00) has been submitted with each application in accordance with the Borough Ordinance governing the same; and

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**WHEREAS**, two (2) applications have been filed requesting renewal of a Hotel/Motel Exception License together with the fee of one thousand seventy-four dollars (\$1,074.00) in accordance with the Borough Ordinance governing the same; and

**WHEREAS**, one (1) application has been filed requesting renewal of a Club License together with the fee of one hundred and fifty dollars (\$150.00) in accordance with the Borough ordinance governing the same.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, that the twelve (12) applications for renewal of Plenary Retail Consumption Licenses, the three (3) applications for Plenary Retail Distribution Licenses, the two (2) applications for renewal of the Hotel/Motel Exception Licenses and the one (1) application for renewal of the Club License are hereby approved. All licenses when granted, will be effective on the First Day of July, 2024 and expire on the Thirtieth Day of June 2025; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk be and she is hereby authorized and directed to issue the following licenses for Plenary Retail Consumption, Plenary Retail Distribution, Hotel/Motel Exception License and Club License.

**PLENARY RETAIL CONSUMPTION**

0205-33-002-008	The Local Pub LLC	446 Hackensack Street
0205-33-004-001	Carlstadt Turnverein Inc.	500 Broad Street
0205-33-008-008	Leekay, L.L.C.	843 Washington Avenue
0205-33-011-003	Anthony Calandra and Luciano Calandra Jr.	204 First Avenue, Newark NJ, 07107 (Mailing Address)
0205-33-013-008	La Fortaleza Carlstadt LLC	335 Paterson Plank Road
0205-33-014-003	Palsi Corp.	317 Washington Avenue
0205-33-015-010	Spain USA 645 LLC	645 Washington Avenue
0205-33-017-010	CJD2L Corp.	2 Palmer Terrace
0205-33-018-003	Veroli, Inc.	651 Route 17 North
0205-33-021-005	Four Brothers Food and Beverage II LLC	320 Route #17 South
0205-33-022-005	Steve's Steakhouse Inc.	620 Route 17 South
0205-33-024-006	Ozcelik Inc.	319 Hackensack Street

**PLENARY RETAIL DISTRIBUTION**

0205-44-005-007	Dawd Rizk H.	287 Broad Street
0205-44-010-009	Wine Shop Inc.	434 Hackensack Street
0205-44-019-007	Amrutha, LLC	675 Paterson Avenue

**HOTEL/MOTEL EXCEPTION**

0205-36-030-001	Calandra Enterprises Inc.	304 Paterson Plank Road.
0205-36-031-001	CP Carlstadt LLC	192 Paterson Plank Road

**CLUB**

0205-31-026-001

GC Burkadt Post #69  
American Legion, Inc.

412 Third Street

All licenses are issued subject to any special conditions now existing or hereafter imposed by the A.B.C. or the Borough of Carlstadt. All renewals where fees have been paid by uncertified check are subject to said check being cleared for payment on or before June 30, 2024.

**RESOLUTION NO. 2024-138 (Rescinded)**

**WHEREAS**, it is upon the advice and recommendation of the Tax Assessor, Special Tax Appeal Counsel and Appraisal Expert to confirm the recommended property tax appeal settlement as follows:

- **Block 131.01 Lot 15 410-420 Commerce Boulevard**
- The property is owned by Plaintiffs, Sungard Availability Services LP; Sungard Availability Services LP Tenant in a Parcel Owned by 410 Commerce L.L.C.; Sungard Availability Services LP, Tenant in a Parcel Owned by 410 Commerce LLC; 410 Commerce L.L.C.; 410 Commerce LLC

The within Resolution relates to the settlement of the pending tax appeal matter entitled Sungard Availability Services LP, Tenant v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **005342-2016**; Sungard Availability Services LP, Tenant in a Parcel Owned by 410 Commerce L.L.C. v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **004824-2017 and 004346-2019**; Sungard Availability Services LP, Tenant in a Parcel Owned by 410 Commerce LLC v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **002201-2018**; 410 Commerce L.L.C. v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **006907-2018 and 004376-2019**; 410 Commerce LLC v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket No. **005780-2020, 006706-2021, 005037-2022**.

- The proposed settlement terms and conditions related to this matter reflect a refund of **\$50,000.73**.
- Cash refund to be paid no later than ninety (90) days of the date of the Tax Court judgment; and

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

**NOW, THEREFORE BE IT RESOLVED** by the Mayor & Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the Borough Tax Counsel is hereby authorized and directed to further prepare, execute any and all documents necessary in order to facilitate the further processing for the above stated tax appeal settlement, with copies of same to the Borough Clerk, Borough Attorney, Borough Tax Collector and Borough Tax Assessor.

**RESOLUTION NO. 2024-139 (Rescinded)**

**WHEREAS**, it is upon the advice and recommendation of the Tax Assessor, Special Tax Appeal Counsel and Appraisal Expert to confirm the recommended property tax appeal settlement as follows:

- **Block 131, Lot 9      777 Central Boulevard**
- The property is owned by Plaintiffs, Sungard Availability Services LP, Tenant; Sungard Availability Services LP, Tenant in a Parcel Owned by Russo Family Limited Partnership; Russo Family Limited Partnership; Russo Family Limited Partnership by Sungard Availability Services, LP Tenant-Taxpayer.

The within Resolution relates to the settlement of the pending tax appeal matter entitled Sungard Availability Services LP, Tenant v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 005345-2016; Sungard Availability Services LP, Tenant in a Parcel Owned by Russo Family Limited Partnership v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 002200-2018, 004347-2019; Russo Family Limited Partnership v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 005915-2020; Russo Family Limited Partnership by Sungard Availability Services LP, Tenant-Taxpayer v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 004723-2021, 004517-2022.

- The proposed settlement terms and conditions related to this matter reflect a refund of **\$50,000.73**.
- Cash refund to be paid no later than ninety (90) days of the date of the Tax Court judgment.

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



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**NOW, THEREFORE BE IT RESOLVED** by the Mayor & Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the Borough Tax Counsel is hereby authorized and directed to further prepare, execute any and all documents necessary in order to facilitate the further processing for the above stated tax appeal settlement, with copies of same to the Borough Clerk, Borough Attorney, Borough Tax Collector and Borough Tax Assessor.

**RESOLUTION NO. 2024-141 (Rescinded)**

**WHEREAS**, it is upon the advice and recommendation of the Tax Assessor, Special Tax Appeal Counsel, and the Borough Appraiser to seek formal approval of this property tax appeal matter as follows:

- **Block 110, Lot 3      326 Thirteenth Street**
- **Block 110, Lot 4      308 Thirteenth Street**
- **Block 110, Lot 5      300 Thirteenth Street**
  
- The property is owned by Plaintiff, Lucky 13<sup>th</sup> St Realty, LLC.
  
- The within Resolution relates to the settlement of the pending tax appeal matter entitled Lucky 13<sup>th</sup> St Realty, LLC v. Borough of Carlstadt, filed in the Tax Court of New Jersey under Docket Nos. 002554-2019, 005697-2020, 002840-2021, 005825-2022 and 004487-2023.
  
- The proposed settlement terms and conditions related to this matter reflect a refund of \$15,267.20.
  
- Refund payment to be made within ninety (90) days of the date of the Tax Court Judgment; and

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

**NOW, THEREFORE BE IT RESOLVED** by the Mayor & Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the Borough Special Tax Counsel is hereby authorized and directed to further prepare, execute any and all documents necessary in order to facilitate the further processing for the above stated tax appeal settlement, with copies of same to the Borough Clerk, Borough Attorney, Borough Tax Collector and Borough Tax Assessor.

**RESOLUTION NO. 2024-142**  
**RESOLUTION TO AMEND BUDGET**

**WHEREAS**, the local municipal budget for the year 2024 was approved on the 15th day of May, 2024.

**WHEREAS**, the public hearing on said budget was held as advertised, and

**WHEREAS**, it is desired to amend said approved budget, now

**THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Carlstadt, County of Bergen, the following amendments to the approved budget of 2024 be made:

	FROM Introduced/Approved Budget	TO Budget Amendment #1
<b>ANTICIPATED REVENUES:</b>		
<b>General Revenues</b>		
<b>Misc. Revenues - Section F: Public and Private Revenues Offset with Approp.</b>		
Clean Community Program 2024	\$ -	\$ 17,065.59
<b>Total Misc. Revenues - Section F: Public and Private Revenues Offset with Approp.</b>	<b>\$ 721,764.81</b>	<b>\$ 738,830.40</b>
<b>Total Amount to be Raised by Taxes for Support of Municipal Budget</b>	<b>\$ 23,425,991.67</b>	<b>\$ 23,325,991.67</b>
<b>Total General Revenue</b>	<b>\$ 29,926,139.79</b>	<b>\$ 29,843,205.38</b>

**GENERAL APPROPRIATIONS:**

<b>(A) Operations - within "CAPS"</b>		
Employee Group Insurance - Net	5,118,673.00	5,111,573.00
Health Benefits Waiver	147,200.00	154,300.00
<b>Total (A) Operations - within "CAPS"</b>	<b>\$ 19,865,703.00</b>	<b>\$ 19,865,703.00</b>
<b>Total General Appropriations for Municipal Purposes within "CAPS"</b>	<b>\$ 22,520,131.95</b>	<b>\$ 22,520,131.95</b>
<b>(A) Operations - Excluded from "CAPS"</b>		
<b>Public and Private Programs Offset by Revenues</b>		
Clean Community Program 2024	\$ -	\$ 17,065.59
<b>Total Public and Private Programs Offset by Revenues</b>	<b>\$ 721,764.81</b>	<b>\$ 738,830.40</b>
<b>Total Operations - Excluded from "CAPS"</b>	<b>\$ 3,900,662.84</b>	<b>\$ 3,917,728.43</b>
<b>(C) Capital Improvements - Excluded from "CAPS"</b>		
Capital Improvement Fund	\$ 400,000.00	\$ 300,000.00
<b>Total Capital Improvements Excluded from "CAPS"</b>	<b>\$ 400,000.00</b>	<b>\$ 300,000.00</b>
<b>Total General Appropriations - Excluded from "CAPS"</b>	<b>6,966,007.84</b>	<b>6,883,073.43</b>
<b>Total General Appropriations</b>	<b>\$ 29,926,139.79</b>	<b>\$ 29,843,205.38</b>

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for their certification of the

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municipal budget so amended.

The budget amendment will be published in the Record in the issue of June 12, 2024.

A hearing on the budget amendment will be held at the Municipal Building on June 19, 2024 at 7:00 o'clock P.M at which time and place objections to said Budget Amendment may be presented by taxpayers or other interested persons.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Governing Body on the 5th day of June, 2024.

**RESOLUTION NO. 2024-143**

**WHEREAS**, the Borough of Carlstadt has adopted a Length of Service Award Program ordinance for their volunteer firefighters and ambulance corps. Members; and

**WHEREAS**, the Borough of Carlstadt LOSAP provides Annual Contributions to Qualified Members who meet the criteria stated in the Borough ordinance; and

**WHEREAS**, Qualified Members on the attached list have been certified by their respective departments to have the said amounts deposited into their LOSAP Accounts.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Carlstadt that the individuals on the attached list have been certified by their respective departments to have fulfilled all the requirements and qualifications of a Length of Service Award Program by the Borough of Carlstadt for the year 2023.

**BE IT FURTHER RESOLVED** that Qualified Members shall have said amounts deposited into their Length of Service Award Program accounts of \$1,611.59 for each member totaling \$69,852.01.

Christopher Assenheimer	Richard E. Bartlett	Joseph P. Biggy, Jr.	Joseph Biggy, Sr.
Robert J. Brown	Stephen Capuano	Brian Cervasio	Antonio D'Amico
Mark Dunn	Sharon Dunn	Daniel Eckert	Patrick Grella
Dylan Harr	John J. Harr	Zakaria Kandiel	Dennis P. Kronyak, Jr.
Steven Lahullier	Hernan Lopez	Jarrett R. Milligan	Jay Murphy
Nicholas M. Murphy	Chris Oehlmann	John Ondrof	Andrew Peet
Henry J. Riveros	Gabriel Rodríguez	Julio C. Rodríguez	Jason Roughgarden
Robert Ruff, Jr.	John Sanzari III	Gregory Schmidt	Heather Schmidt
James Schmidt	Kenneth Schwarz	Anthony M. Silletto	Walter Stankiewicz
Davis A. Stoltz	Joseph Taylor	Lawrence D. Wood	

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

**CONSIDERATION OF ORDINANCES  
FINAL READING**

**ORDINANCE NO. 24-5**

**BOROUGH OF CARLSTADT  
CALENDAR YEAR 2024  
MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

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

**RESOLUTION NO. 2024-144**

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

**BOROUGH OF CARLSTADT  
CALENDAR YEAR 2024  
MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

heretofore introduced, does now pass on final reading and the Borough Clerk is hereby authorized and directed to publish said ordinance according to law.

Mayor Zimmermann entertained a motion to adopt Ordinance No. 24-5.  
On motion by Stoltz, seconded by Emerson, unanimous on call of roll.

**CORRESPONDENCE**

Mayor Zimmermann said we received a letter from Le-Ann Griese of 505 Tenth Street, Carlstadt, NJ. Borough residents are looking to start an adult craft club where they can design, create and share with other residents of the town. We would like to host this once a month at the Carlstadt Civic Center on a night that is available. They can be flexible on the date and change it from month to month. This club will be a self-funded with the intent to network with other likeminded crafty individuals.

Mayor Zimmermann entertained a motion to allow this craft club to use the Civic Center on a night

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

A letter was received from Cheryl Ranone -Moe of 611 Central Avenue, Carlstadt, NJ. She is writing to inquire about the possibility of using Lindbergh Field for a small group exercise session. They are a group of women who would like to gather for exercise every Saturday morning for an hour or so. They are flexible in finding a suitable spot that does not interfere with other activities or users of the field.

Mr. Crifasi, Borough Administrator said the field can be used by any Borough resident.

Mayor Zimmermann entertained a motion to have Cheryl Ranone -Moe to use Lindbergh Field for a small group of ladies for exercise sessions on a Saturday morning. Mr. Crifasi said not to interfere with the scheduling of the field. On motion by Emerson, seconded by Fonseca, unanimous on call of roll.

Mayor Zimmermann said we received a letter from Chris Assenheimer, Tax Collector requesting permission to attend the NJ Tax Collectors and Treasurers Association conference on Thursday, May 30, 2024 in Atlantic City, NJ. He already went and he just wants to ratify it.

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

Joseph Crifasi, Borough Administrator said we need to approve the summer help for recreation. This is for the counselors. The list was submitted by Ashley Brown. The background check was done by the Police Department. There are approximately sixty-five names depending upon who accepts and who doesn't.

Mayor Zimmermann entertained a motion to approve these people for summer recreation. On motion by Emerson, seconded by Fonseca, unanimous on call of roll.

Joseph Crifasi said he needs to bring up the summer help for the Borough Hall and for the DPW. In Borough Hall it is Madison Dunn and Gia Catarazzi. For the DPW it is Tyler O'Conner.

Mayor Zimmermann entertained a motion to approve these people. On motion by Roseman, seconded by DeBiase, 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 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 opened the floor to a hearing of citizens.

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

Donald Molzon, 530 Madison Street - He wanted to thank the Republican Club that sponsored the luncheon for the Veterans. They were very excited about it and they are still talking about it.

This Saturday he knows we are having our Street Fair. The veterans are coming to the American Legion for a barbeque around 12 noon. He is hoping that some of you can come up and say hello. He knows the town had something to do with getting the prisoners here to mowing the grass at the cemetery for Memorial Day Services. They did a tremendous job.

Mr. Molzon said the real reason he is here is because the bees are back. Also, there is now an over growth of everything. It seems like everything is overgrown. Something has to be done. Joseph Crifasi, Borough Administrator said that Frank Recanati, Zoning Official is here. We can have the Zoning Official send a letter for an inspection. We need to do this so we can go on his property. Mr. Recanati said last year he had the State come in and they took all his hives. He is only allowed three hives for per 50 x 100 lot. He is allowed six hives. The only reason the bees are flying to other locations is that they do not have any water. If the water supply is sufficient on his property, they will not fly to another water source. Mr. Recanati said we now must learn about bees. He went into detail on this about bees.

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

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

Mayor Zimmermann entertained a motion to go into closed session at 7:32 P.M. On motion by Emerson, seconded by Fonseca, unanimous on call of roll.

Mayor Zimmermann entertained a motion to go back into open session at 9:14 P.M. On motion by Fonseca, seconded Stoltz, unanimous on call of roll.

Joseph Donahue, Borough Attorney talked about Herb Haus and went into detail on this. This has to do with a cannabis license application for 300 Washington Avenue. They are allowed to open up this business at the location mentioned.

**RESOLUTION NO. 2024-145**

**A RESOLUTION OF THE BOROUGH OF CARLSTADT, COUNTY OF BERGEN,  
STATE OF NEW JERSEY SUPPORTING HERB HAUS, LLC'S APPLICATION TO  
THE CANNABIS REGULATORY COMMISSION FOR A CLASS 5 MICROBUSINESS  
RETAILER CANNABIS LICENSE**

**WHEREAS**, the State of New Jersey legalized the cultivation, manufacturing, sale and distribution of recreational cannabis pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act; and

**WHEREAS**, the legalization of cannabis for recreational use will likely spawn a significant industry throughout the State of New Jersey; and

**WHEREAS**, the new industry can provide substantial financial and social benefits to the Borough of Carlstadt (the "Borough"); and

**WHEREAS**, this new industry will create employment opportunities through its four sectors of growers, processors, wholesalers and retailers; and

**WHEREAS**, the Borough is in position to benefit from all four sectors of the industry; and

**WHEREAS** the Borough passed Ordinance No.23-5 which, in part, permits a limited number of licensed Cannabis businesses to operate in specific zones within the Borough; and

**WHEREAS**, Herb Haus, LLC submitted its business plan to the Borough's governing body and demonstrated proof that it has secured a location for its proposed operations at 300 Washington Avenue, Carlstadt, NJ (the "Location"); and

**WHEREAS**, the Borough has authorized the type of cannabis business license being sought by Herb Haus within its jurisdiction, namely a Class 5 Microbusiness Retailer Cannabis License; and

**WHEREAS**, the Borough has imposed a limit on the number of licensed cannabis businesses, and the issuance of a license to Herb Haus by the State of New Jersey Cannabis Regulatory Commission ("CRC") would not exceed that limit; and

**WHEREAS**, the Council is satisfied that Herb Haus will have a positive impact on the Borough's community, and, subject to Herb Haus's receipt of a Class 5 Microbusiness Retailer Cannabis License from the CRC, Planning Board site plan approval and its receipt of a municipal permit from the Borough in accordance with all applicable Borough Ordinances, will satisfy all applicable requirements to operate cannabis retailing in the Borough.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Carlstadt, in the County of Bergen and State of New Jersey, that the Borough supports Herb Haus's Class 5 Microbusiness Retailer Cannabis License application to the CRC, and is satisfied that Herb Haus's Location is suitable for its proposed cannabis retailing activities, subject to its compliance with the Ordinance and obtaining all necessary state, municipal and zoning approvals to conduct operations; and

**BE IT FURTHER RESOLVED** by the Council of the Borough of Carlstadt, in the County of Bergen and State of New Jersey, that the Borough authorizes the issuance of a Zoning Permit as required by N.J. Admin. Code § 17:30-7.8(a)4 indicating that the location will conform to municipal zoning requirements allowing for activities related to the operations of the proposed cannabis retailer, as will be conducted at the proposed cannabis business premises; and

**BE IT FURTHER RESOLVED** that Herb Haus's ability to operate its proposed cannabis retail business in Carlstadt is subject to: (1) Herb Haus's receipt of a Class 5 Microbusiness Retailer Cannabis License from the CRC; and (2) Herb Haus's compliance with all local Ordinances and receipt of all necessary state, municipal and zoning approvals to conduct operations.

Mayor Zimmermann entertained a motion to approve this resolution. On motion by Fonseca, seconded by DeBiase, unanimous on call of roll of those present. Councilman Roseman left the meeting at 9:14 P.M.

Police Chief Thomas Cox was in attendance with regards to people requesting to get a hand gun. There were people who were denied and as well as people who withdrew. The background check eliminates a lot of them to obtain getting a permit for a hand gun.

He read the number of permits for the previous year as well as this year.

Mayor Zimmermann entertained a motion to cancel the July 3, 2024 meeting and combine it with the July 17, 2024 meeting. On motion by Stoltz, seconded by Lenoy unanimous on call of those present.

Mayor Zimmermann entertained a motion to approve \$260.00 for Social Services. This is for a family to help pay for their PSE&G bill. On motion by Fonseca, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to authorize Police Chief Cox to do a background check on Jason Taylor to be a Special Police Officer. On motion by Emerson, seconded by DeBiase, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to adjourn the meeting at 9:30 P.M. On motion by DeBiase, seconded by Emerson, unanimous on call of roll of those present.

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

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