

COUNCIL MEETING

July 17, 2024

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, July 17, 2024 at 8:05 P.M.

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

Joseph Crifasi, Borough Administrator and Joseph Donahue, Borough Attorney were 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.

APPROVAL OF MINUTES

Mayor Zimmermann entertained a motion to accept the minutes of the 6/5/2024 Caucus/Finance Meeting, 6/19/24 Caucus Meeting and 6/19/24 Council Meeting (Open and Closed Sessions). On motion by Emerson, seconded by DeBiase, unanimous on call of roll of those present.

CORRESPONDENCE

None.

SPECIAL REPORTS

The Construction Official’s report was read for the month of June. This report will be filed.
The Borough Clerk’s report was read for the month of June. This report will be filed.
The Tax Collector’s report was read for the month of June. This report will be filed.

CONSENT AGENDA

RESOLUTION NO. 2024-159

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	\$ 1,126,390.75
Regional Board of Education	677,007.58
South Bergen Municipal Joint Insurance Fund 3 rd Quarter FY 2024	191,576.00

COUNCIL MEETING

July 17, 2024

Page 2

RESOLUTION NO. 2024-160

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Carlstadt Recreation Soccer League be granted a bingo license for Friday, October 4, 2024 to be used at the American Legion, Third Street, Carlstadt, NJ 07072 for which the application, fee and findings and determination sheet shall be forwarded to the Legalized Games of Chance Control Commission.

RESOLUTION NO. 2024-161

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that Mickey's Kids Foundation, Inc. 50 Central Avenue, Hasbrouck Heights, NJ 07604 be granted permission to hold three raffles at IL Villaggio, Route 17 North, Carlstadt, NJ 07072 on Friday, October 18, 2024 for which the applications, fees and findings and determination sheets shall be forwarded to the Legalized Games of Chance Control Commission.

RESOLUTION NO. 2024-162

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

1. 510 Monroe Street
2. 494 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. 2024-163

BOROUGH OF CARLSTADT

COUNTY OF BERGEN, NEW JERSEY

**RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION'S FY25 MUNICIPAL AID
PROGRAM.**

WHEREAS, the New Jersey Department of Transportation has funds available for road projects through its FY25 Municipal Aid Program; and

WHEREAS, this application would provide funding for improvements to Michele Place within the Borough of Carlstadt; and

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough Carlstadt formally approves the grant application for the above-stated project; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to submit an electronic grant application identified as “MA-2025-Michele Place Improvements-00047” to the New Jersey Department of Transportation on behalf of the Borough of Carlstadt; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Carlstadt and that their signature constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION NO. 2024-164

A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE BOROUGH OF CARLSTADT TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPERTIES KNOWN AS BLOCK 18 LOTS 2, 3, 4 MEETS THE STATUTORY CRITERIA FOR A “NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT” PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq., (the “Redevelopment Law”) provides tools to assist municipalities in encouraging investment, development, and improvements of certain properties through programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth a specific procedure for designating an Area in Need of Redevelopment and

WHEREAS, according to N.J.S.A. 40A:12A-6, before a municipal governing body decides whether a study area qualifies as an Area in Need of Redevelopment, the governing body must authorize the municipal planning board by resolution to undertake a preliminary investigation to determine whether the area meets the criteria set forth at N.J.S.A. 40A:12A-5 for designation of the area as an Area in Need of Redevelopment; and

WHEREAS, the Carlstadt Governing Body wishes to direct the Borough Planning Board to undertake a preliminary investigation to determine whether the property known as Block 18 Lots 2, 3, 4 on the Official Tax Map of the Borough of Carlstadt, County of Bergen, qualifies as an Area in Need of Redevelopment without the power of condemnation (the “Non-Condemnation Area in Need of Redevelopment”) pursuant to the Redevelopment Law.

NOW, THEREFORE BE IT RESOLVED on this 17th day of July 2024, by the Governing Body of the Borough of Carlstadt, New Jersey, that it hereby directs and authorizes the Planning Board of the Borough of Carlstadt (the “Planning Board”) to determine whether the property known as Block 18 Lot 2, 3, 4 (the “Study Area”), qualifies as a Non-Condemnation Area in Need of Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et. seq.; and

COUNCIL MEETING

July 17, 2024

Page 4

BE IT FURTHER RESOLVED that before the public hearing to be held by the Planning Board on the matter, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the property included therein and appended to the map shall be statement setting forth the basis for the investigation; and

BE IT FURTHER RESOLVED that the Planning Board shall specify a date for and give notice of the hearing for the purpose of hearing persons who are interested in or would be affected by the determination of the Study Area as a Non-Condensation Area in Need of Redevelopment; and

BE IT FURTHER RESOLVED that the hearing notice shall set forth the general boundaries of the Study Area and state that a map has been prepared and can be inspected at the office of the Borough Clerk and that a copy of the notice shall be published in an official newspaper as previously designated by the Borough Governing Body, once a week for two consecutive weeks, and the last publication shall not be less than ten (10) days before the date set for the hearing, and that a copy of the notice shall be mailed ten (10) days before the date set for the hearing to property owners of each parcel of property within the Study Area, and within 200-feet of the Study Area, according to the assessment records of the as well as persons at their last known address, if any, whose names are noted on the assessment records as claimants of interest of any such parcel; and

BE IT FURTHER RESOLVED that the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area qualifies under the redevelopment criteria and that all objections to such determination and evidence in support of those objections, given orally or in writing, shall be received and made part of the public records; and

BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Borough Governing Body as a resolution with supporting documentation.

RESOLUTION NO. 2024-165

**RESOLUTION DETERMINING PORTIONS OF THE BOROUGH AN AREA IN
NEED OF REHABILITATION**

WHEREAS, the Borough Governing Body has explored the utilization of the Local Housing and Redevelopment Law (40A:12A) to advance community interests and to employ legal redevelopment mechanisms efficiently; and

WHEREAS, the Borough Council, at this point, has no interest in utilizing two of the powers contained within the Local Housing and Redevelopment Law within this proposed rehabilitation area, namely the power of eminent domain and the power to enter long-term tax abatements; and

WHEREAS the Local Housing and Redevelopment Law contains three processes or designations a municipality can utilize under the law -- redevelopment area with condemnation, a redevelopment area without condemnation, and an area in need of rehabilitation; and

WHEREAS the area in need of rehabilitation designation is the only one of the three that does not allow either condemnation or long-term tax abatements; and

WHEREAS, the Borough Governing Body has submitted to the Planning Board for its review and recommendation a proposed resolution determining a delineated of Hackensack Street properties within the Borough to be an area in need of rehabilitation in accordance with the Local Redevelopment and Housing Law, 40A:12A; and

WHEREAS the Planning Board recommended and agreed with the Rehabilitation Report findings on March 25, 2024; and

WHEREAS the Local Redevelopment and Housing Law (40A:12A-14) requires that at least one of six conditions exist to qualify as an area in need of rehabilitation; and

WHEREAS one of the conditions qualifying an area in need of rehabilitation is that more than half of the housing stock in the delineated area is at least 50 years old; and

WHEREAS, as detailed in the RCM Ceberio LLC report, there are 86 parcels, of which 87.4% are at least 50 years old, and the Hackensack Street water and sewer line is older than 50 years old; and

WHEREAS based upon the above, the delineated area of Hackensack Street clearly meets the standard that more than half of the housing stock and water and sewer infrastructure is at least 50 years old; and

WHEREAS, the overall conditions and requirements of the community, namely the distribution of the housing stock that is more than 50 years old throughout the delineated area, warrant the need for the area in need of rehabilitation designation for the delineated area within the municipality.

NOW, THEREFORE BE IT RESOLVED by the Borough of Carlstadt Governing Body that the entire area of Hackensack Street properties as designated in the RCM Ceberio Report as an area of rehabilitation under the Local Redevelopment and Housing Law.

RESOLUTION NO. 2024-166
RESOLUTION TO ADVERTISE
FOR REQUEST FOR QUALIFICATIONS

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, upon the recommendation of the Economic Development Consultant RCM Ceberio LLC that the plans & specifications for the Hackensack Street Rehabilitation Visioning Study in the BOROUGH OF CARLSTADT BERGEN COUNTY, NEW JERSEY are hereby approved. The Borough Clerk is hereby authorized to advertise for bids. This Resolution is to take effect immediately.

RESOLUTION NO. 2024-167

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

1. 411 First Street
2. 543 Jefferson Street

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

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

RESOLUTION NO. 2024-168

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Teaneck Realty, Inc. for property located at Washington Avenue, Carlstadt, New Jersey for Block 128 Lot 43 as per Docket No. 007334-2017 dated 06/05/2024 reducing the 2017 property tax assessment from \$1,383,300.00 to 1,200,000.00; and

WHEREAS, the reduction in the 2017 property tax assessment is \$183,300.00 or \$3,493.70 in 2017 property tax.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that a refund of \$3,493.70 is authorized and the Tax Collector shall adjust his books accordingly (2017; \$3,493.70).

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, Kenneth A. Porro, Esq., has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt and that the Carlstadt Borough Attorney, Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition, the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the judgments.

The refund shall be made payable to:

“Michael I. Schneck, Trustee for Teaneck Realty, Inc.”

The refund check shall be mailed to:

Schneck Law Group, LLC
23 Vreeland Avenue, Suite 270
Florham Park, New Jersey 07923

RESOLUTION NO. 2024-169

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of AMAA Realty, LLC for property located at 396 Veterans Boulevard, Carlstadt, New Jersey for Block 124 Lot 34 as per Docket No. 001851-2019 dated 05/09/2024 reducing the 2019 property tax assessment from \$1,695,400.00 to 1,650,000.00; and

WHEREAS, the reduction in the 2019 property tax assessment is \$45,400.00 or \$833.09 in 2019 property tax.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that a refund of \$833.09 is authorized and the Tax Collector shall adjust his books accordingly (2019; \$833.09).

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, Kenneth A. Porro, Esq., has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt and that the Carlstadt Borough Attorney, Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition, the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the judgments.

The refund shall be made payable to:

“Daniel G. Keough, Trustee”

The refund check shall be mailed to:

Ventura, Miesowitz, Keough & Warner
783 Springfield Avenue
Summit, New Jersey 07901-2332

COUNCIL MEETING

July 17, 2024

Page 8

RESOLUTION NO. 2024-170

WHEREAS, the Borough of Carlstadt has adopted a Property Maintenance Ordinance to provide the property owners of the Borough of Carlstadt the best value for their tax dollars and to provide a minimum standard of maintaining their property; and

WHEREAS, the Carlstadt Zoning Department is charged with the responsibility to regulate and inspect properties as per the Property Maintenance Ordinance; and

WHEREAS, inspections were made at the following properties for sanitation violations and overgrowth of weeds and grass, etc. and that the property owners were notified to correct the violations and did not respond in the prescribed time frame; and

WHEREAS, Zoning Department contracted with a vendor to correct said violations.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that all charges paid by the Borough of Carlstadt to clean up and landscape the following properties shall be passed onto the property owners as a Municipal Charge and added to their property tax accounts. The property and charges are listed below:

Block	Lot	Name	Address	Amount
13	19	Hernandez, D	538 Jefferson Street	\$350.00
INVOCE DATED:9/22/2023				
13	19	Hernandez, D	538 Jefferson Street	\$350.00
INVOICE DATED: 6/18/2024.				
				TOTAL: \$700.00

The Carlstadt Tax Collector shall adjust his books accordingly.

The payment for the landscaping clean-up shall be made payable to:
S & B Landscaping, 44 Jordan Avenue, Wallington, NJ 07057.

RESOLUTION NO. 2024-171

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Tewani Group, LLC for property located at 390 Starke Road, Carlstadt, New Jersey for Block 123.01 Lot 28 as per Docket No. 001545-2018 dated 05/09/2024 reducing the 2018 property tax assessment from \$6,216,300.00 to 6,000,000.00; and

WHEREAS, the reduction in the 2018 property tax assessment is \$216,300.00 or \$4,157.29 in 2018 property tax.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that a refund of \$4,157.29 is authorized and the Tax Collector shall adjust his books accordingly (2018; \$4,157.29).

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, Kenneth A. Porro, Esq., has negotiated this Tax Appeal and has approved the settlement on behalf of the Borough of Carlstadt and that the Carlstadt Borough Attorney, Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition, the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the judgments.

The refund shall be made payable to:
"Daniel G. Keough, Trustee"

The refund check shall be mailed to:
Ventura, Miesowitz, Keough & Warner
783 Springfield Avenue
Summit, New Jersey 07901-2332

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

RESOLUTION NO. 2024-172
A RESOLUTION AMENDING
THE POLICY & PROCEDURES
OF THE EMPLOYEE HEALTH BENEFITS PROGRAM

WHEREAS, the Borough of Carlstadt, (hereinafter, the Borough) provides a comprehensive Employee Benefits Program (Medical, Prescription, Dental & Vision coverages) for qualified Active Employees and Retirees; and

WHEREAS, Program costs have notably increased which necessitates the Borough revise protocols and procedures to more accurately reflect the changing landscape within the medical community; and

WHEREAS, more specifically, the Borough desires to promulgate certain amendments to the Plan Design in accordance with emerging practices and procedures consistent with the needs of the Borough to maintain the level of benefit for its covered Employees, Dependents and Retirees.

COUNCIL MEETING

July 17, 2024

Page 10

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey the following Amendments are hereby approved and submitted to the Thirds Party Administrator (TPA) inclusion in the Borough's Plan Design as follows:

1. Implementation of the ProAct Plus Program, offered by the Prescription Benefit Management company (PBM), which includes:
 - Co-Pay Optimization, whereby the PBM will pursue Manufacturers Coupons for Non-Specialty Prescriptions), which when available, will generate savings for the Borough and often allow the Employee's Co-Pay to be reduced or waived;
 - GLP-1 Prescriptions – Implementation of certain prior authorization requirements to control/ minimize over utilization of this drug family, when used for weight loss.
 - International Mail-Order – Implementation of this Program that generates savings for the RX Plan through sourcing drugs internationally. Participation is voluntary for the Plan participant and will often provide a reduced or waived co-pay.

BE IT FURTHER RESOLVED, the changes noted above shall become effective upon the Renewal of the Plan (August 1, 2024) or as soon thereafter as administratively practical; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be maintained on file in the Clerk's office and shall also be forwarded to the Borough CFO and Professional Insurance Associates, a Division of World Insurance Associates, LLC, 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Health Benefits Consultant to the Municipality.

Mayor Zimmermann entertained a motion to approve Resolution No. 2024-172. On motion by Fonseca, seconded by Emerson, unanimous on call of roll of those present.

RESOLUTION NO. 2024-173

**A RESOLUTION AUTHORIZING THE RENEWAL OF THE BOROUGH'S
PARTIALLY SELF-FUNDED HEALTH BENEFITS PROGRAM WITH
INSURANCE DESIGN ADMINISTRATORS (IDA)
FOR THE PERIOD 8/1/24 THROUGH 8/1/25**

WHEREAS, the Borough of Carlstadt (hereinafter, the Borough) provides Medical, Prescription and Vision benefits through a partially self-funded plan administered by Insurance Design Administrators (IDA), with offices located in Oakland, NJ; and

WHEREAS, due diligence was performed in the renewal process associated with this Program which yielded the following recommendations, hereby submitted for consideration and subsequent favorable action by the Governing Body:

STOP LOSS - the Stop Loss Renewal offered by Sirius America Insurance Company, an A+ rated carrier, as rated by A.M. Best (as illustrated on the Comparison & Analysis spreadsheet), has been determined to be most competitive in comparison to the alternate proposals solicited and evaluated by the Health Benefits Consultant and presented to the Borough for review and consideration. Specifically, the Renewal offer represents a contract Proposal with the same terms and conditions as the expiring contract (\$75,000 Aggregating Specific with a \$40,000 Corridor, incurred in 24 Months, paid in 12 Months) at an estimated annual premium of \$675,533 (based upon the current enrollment) or a \$67,569 increase (11.11%) over the Expiring Premium. The Maximum Program Liability will be \$7,245,252 which represents an increase in exposure to the Borough of \$1,164,850 (or 19.16%) above the Expiring Program; and

NETWORK – The CIGNA Network continues to effectively serve the Municipality, both with respect to In-Network utilization and associated savings. With respect to Out-Of-Network claims, the savings for Out of Network (OON) claims currently realized through the utilization of the ZELIS Program continues to perform above expectations and deliver meaningful savings to OON claims cost; and

PRESCRIPTION BENEFIT MANAGER (PBM) – The cost containment and Rebates received from the incumbent Prescription Benefit Manager (PBM), Pro-Act, coupled with the Cost Avoidance Program (CAP) administered through Payer Matrix has again reduced claims costs in the current plan year period over the expiring plan year, while also adding a direct savings of \$186,728 through Rebates paid to the Borough. The Cost Avoidance Program (CAP) Program has yielded an additional \$555,166 since inception in March of 2021; and

TRANSPARENCY OF FEES – The Renewal Stop Loss Insurance Contract Proposal maintains the \$0 commission framework initiated several years ago, whereby the TPA and Health Benefits Consultant receive No Commission on the Stop Loss Policy, but rather, compensation is paid directly by the Borough to these Professionals and thereby provides for full transparency in compensation; and

BENEFIT LEVEL ASSURANCE - The Proposal maintains the existing level of benefits in accordance with the contractual requirements promulgated by the various collective bargaining unit agreements within the Borough.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey, the Stop Loss Renewal Proposal identified on the Medical Benefits Comparison & Analysis prepared by the Borough's Health Benefits Consultant is hereby accepted and adopted with the specific conditions noted herewith above; and

COUNCIL MEETING

July 17, 2024

Page 12

BE IT FURTHER RESOLVED, the contract award for the re-insurance component of the proposal is to a duly licensed and admitted Insurance Company within the State of NJ and therefore, such award is exempt from the requirements set forth by P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51) N.J.S.A.19:44A-20.5 et seq.; and

BE IT FURTHER RESOLVED, the Borough Administration, Third Party Administrator and Health Benefits Consultant are hereby authorized and directed to promulgate the renewal process and documents, thereof; and

BE IT FURTHER RESOLVED, the Renewal Proposal for Third Party Administrative (TPA) Services, offered by Insurance Design Administrators (IDA), at the fee schedule noted and included with the renewal materials is also accepted and directed to the Borough Administration and Health Benefits Consultant for contract review and execution; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough CFO, Borough Auditor, and PIA Security Programs, A Division of World Insurance Associates, LLC, 429 Hackensack Street, P.O. Box 818, Carlstadt, NJ 07072, Health Benefits Consultant to the Borough.

Mayor Zimmermann entertained a motion to approve Resolution No. 2024-173. On motion by Fonseca, seconded by Emerson, unanimous on call of roll of those present.

RESOLUTION NO. 2024-174

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 \$47,400.00 in 2023 Community Development Block Grant funds for CDBG Covid-19 Borough Hall Restrooms Touchless Fixtures, 500 Madison Street, Carlstadt, NJ 07072.

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

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Ashley Marrone 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.

Mayor Zimmermann entertained a motion to approve Resolution No. 2024-174. On motion by Emerson, seconded by DeBiase, unanimous on call of roll of those present.

Mayor Zimmermann read a Proclamation for the Veterans of Foreign Wars for the 125th Anniversary.

PROCLAMATION

**VETERANS OF FOREIGN WARS OF THE UNITED STATES
125th ANNIVERSARY
SEPTEMBER 29, 2024**

WHEREAS, the Veterans of Foreign Wars of the United States (VFW) was founded in 1899 by a small group of Veterans whom returned from campaigns on Cuba and in the Philippines, banded together to create a Veterans organization that would advocate on behalf of all Veterans; and

WHEREAS, the VFW is a nonprofit Veterans service organization comprised of eligible Veterans and Military Service members from the Active, Guard and Reserve Forces; and

WHEREAS, the VFW's mission is to foster camaraderie among United States Veterans of overseas conflicts, to serve our Veterans, the Military and our communities, and to advocate on behalf of all Veterans; and

WHEREAS, since its inception the VFW has been instrumental in the establishment of the Veterans Administration, the National Cemetery System and the creation of every national Veterans' Memorial; and

WHEREAS, the VFW has played a vital role in virtually every significant piece of Veterans legislation passed in the 20th and 21st centuries to include the Honoring Our PACT Act, the most significant expansions of Veterans benefit in history; and

WHEREAS, the VFW's 125th anniversary is being observed on September 29, 2024, this date shall officially be known as VFW Day; and

NOW, THEREFORE BE IT RESOLVED that I, Robert J. Zimmermann, Mayor of the Borough of Carlstadt, do hereby proclaim September 29, 2024 as VFW Day in honor of the VFW's invaluable contributions to the Veteran Community in the Borough of Carlstadt and around the world. We hereby stand with the VFW to ensure Veterans are respected for their service, always receive their earned entitlements and are recognized for the sacrifices they and their loved ones have made on behalf of this great country.

Mayor Zimmermann thanked all the Veterans for what they have done. A veteran in the audience thanked the Mayor and Council for the proclamation.

COUNCIL MEETING

July 17, 2024

Page 14

REPORTS OF SPECIAL COMMITTEES

None.

FINANCE/LEGISLATION/INSURANCE – Councilman Emerson read his report. This report will be filed.

POLICE - Councilman Emerson read his report. This report will be filed.

FIRE/WATER/OEM/AMBULANCE – In the absence of Councilman Stoltz, Councilwoman DeBiase read the reports. These reports will be filed.

PUBLIC WORKS/PUBLIC PROPERTY – Councilman Lenoy reported progress.

PLANNING/BUILDING – Councilwoman DeBiase read her report. This report will be filed.

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.

RECYCLING – In the absence of Councilman Stoltz, Councilman Lenoy read the report. This report will be filed.

PROJECTS – Councilman Roseman read his report. This report will be filed.

HUMAN RESOURCES – Councilwoman Fonseca reported progress.

READING OF BILLS

RESOLUTION NO. 2024-175

MEDICAL BENEFITS ACCT	\$ 88,620.06
PAYROLL ACCOUNT	415,453.45
MEDICAL BENEFITS ACCT	336,616.87
MEDICAL BENEFITS ACCT	48,450.83
PAYROLL ACCOUNT	490,122.62
PAYROLL ACCOUNT	3,497.91
BORO OF CARLSTADT - CURRENT FD	39,196.55
DPW UNION DUES	600.00
FLEXIBLE SPENDING ACCOUNT	574.98
PBA UNION DUES	1,276.00

COUNCIL MEETING

July 17, 2024

Page 15

ALERT 360	280.80
ASSENHEIMER, CHRISTOPHER	114.26
AT&T MOBILITY	469.34
AXON ENTERPRISE INC	230.76
CARLSTADT ICE	50.00
LANGUAGE LINE SERVICE	207.50
ORIENTAL TRADING CO. INC.	934.59
PSE&G	41,498.98
SOLIMINE, JOHN	29.80
VEOLIA WATER NEW JERSEY	1,980.98
UNUM LIFE INS. CO. OF AMERICA	1,150.49
VERIZON	149.00
BERGEN COUNTY ZOOLOGICAL PARK	440.00
CLAIRE FOY	738.70
CLINICAL SERVICES MGMT P C	3,339.00
COMCAST	545.39
JENNIFER SARZO	174.96
LOWE'S BUSINESS ACCT/GEMB	465.23
MICHAEL RANURO	2,515.31
THE STANDARD INSURANCE CO.	3,530.10
THE STATE OF NJ-TREASURY DEPT	10,700.33
BERGEN COUNTY ZOOLOGICAL PARK	460.00
PASQUALE & DELEASA LLC	1,350.00
NEGLIA ENGINEERING ASSOCIATES	0.00
NEGLIA ENGINEERING ASSOCIATES	79,352.02
BOWLERO	2,698.20
CLIFFHANGER PRODUCTIONS INC	22,000.00
COMCAST	32.59
COVER STICHES	1,498.95
I.D.A.	60,147.21
MCI COMM SERVICE	401.41
NEW JERSEY STRIDERS, INC.	1,872.00
ALERT 360	977.76
AMERICAN PAPER & SUPPLY	1,572.04
A.N.D. SERVICE	3,122.63
APPRAISAL SYSTEMS INC.	7,800.00
ARAMARK UNIFORM SERVICES	116.88
ARROW ELEVATOR INC.	250.00
ATLANTIC COAST RECYCLING LLC	1,423.65
BELLAQUA INC	151.17

COUNCIL MEETING

July 17, 2024

Page 16

BERGEN MUNICIPAL EMPLOYEE	18,069.00
BERGEN CO. UTILITIES AUTHORITY	231,672.00
BERGEN COUNTY CLERK	7,055.46
BFI	13,514.34
BILL O'SHEA'S	115.95
BLUE 360 MEDIA LLC	506.40
BOROUGH OF RUTHERFORD	12,437.71
BRAEN STONE INDUSTRIES INC	451.35
BROOK BROS. ENTERPRISES LLC	30.00
BRUNO ASSOCIATES INC	3,125.00
CARLSTADT BOARD OF ED.	1,126,390.75
CARLSTADT EAST RUTHERFORD JR	4,500.00
CHASEN, LAMPARELLO, MALLON AND	6,759.80
CLIFFHANGER PRODUCTIONS INC	22,000.00
DAVID F. CORRIGAN	4,292.00
DELGADO INTERPRETING SERVICES	615.00
DRAGER INC.	229.25
EDMUNDS GOVTECH, INC	175.58
EXPERT SEWER & DRAIN LLC	225.00
FAIRLEIGH DICKINSON UNIVERSITY	1,500.00
FIRE & SAFETY SERVICES	558.49
GADALETA HEATING & COOLING LLC	1,900.00
GAMETIME	1,212.06
GARBARINI & CO.	9,500.00
GATES FLAGS AND BANNER INC	470.50
GLOBAL CROSSING	350.00
GOLD TYPE BUSINESS MACHINES	2,645.16
GREATAMERICA FINANCIAL SVCS.	440.00
GRIFFIN AUTOMOTIVE	1,890.00
HAMPTON INN	69.00
HOLY NAME MEDICAL CENTER	2,010.75
HOMETOWN AUTO PARTS	1,128.69
HUDSON TIRE EXCHANGE	0.00
HUDSON TIRE EXCHANGE	5,496.89
I.D.A.	11.00
IMPRESSIVE PRINTING INC	2,082.97
INFINITY SIGNS & GRAPHIX	6,925.00
INSTITUTE FOR PROFESSIONAL	50.00
INTERSTATE BATTERY SYSTEM	50.00
INTERSTATE WASTE SERVICES INC	24,933.86

COUNCIL MEETING

July 17, 2024

Page 17

JOSEPH R. DONAHUE LLC	9,198.33
JPR CYCLES LLC	565.25
KIMBALL MIDWEST	518.98
LINDE GAS & EQUIPMENT INC	255.90
MASTERMAN'S LLP	620.70
MASTER PIZZA	293.25
MATERA'S NURSERY, INC	258.00
MAZZER PORTA POTTYS	275.00
MCNERNEY & ASSOCIATES, INC	7,400.00
MEADOWLANDS HARDWARE	206.84
MEADOWLANDS AREA YMCA	245.00
MSI TECHNOLOGIES LLC	1,445.00
MY OFFICE ACCOUNTING SERVICES	500.00
NATURE'S CHOICE CORP.	771.40
NEGLIA ENGINEERING ASSOCIATES	0.00
NEGLIA ENGINEERING ASSOCIATES	32,604.33
NICK'S TOWING SERVICE, INC.	2,428.64
NORTH JERSEY MEDIA GROUP INC	622.16
NORTHEAST SWEEPERS INC	161.91
PANORAMA TOURS INC	1,305.00
PERENNIAL SERVICES LLC	8,510.00
PORTER LEE CORPORATION	820.00
PRESTI, ROSARIO JR., ESQ.	431.61
PSE&G	1,892.30
PYE-BARKER FIRE AND SAFETY LLC	0.00
PYE-BARKER FIRE AND SAFETY LLC	4,680.82
RCM CEBERIO LLC	7,102.50
REDICARE LLC	395.80
REGAL STAMP CO	675.00
REGIONAL BOARD OF EDUCATION	677,007.58
REMINGTON AND VERNICK	825.00
RICHARD S. CEDZIDLO	1,100.00
ROGUT MCCARTHY TROY LLC	150.00
SHERWIN WILLIAMS, INC.	120.38
SNAP-ON INDUSTRIAL	42.54
SO. BER. MUNC. JT. INS FD	191,576.00
SPRINKLER SURGEON LLC	2,415.50
STAN'S SPORT CENTER, INC	818.75
STAPLES ADVANTAGE	1,081.76
STATE TOXICOLOGY LABORATORY	45.00

COUNCIL MEETING

July 17, 2024

Page 18

TRAFFIC SAFETY & EQUIPMENT INC	575.00
TREASURER, STATE OF NJ	2,118.00
ULINE, INC.	1,752.49
UNITED SITE SERVICES	1,666.00
VEOLIA WATER NEW JERSEY	192.76
ADPP ENTERPRISES INC	911.98
VERIZON	1,564.17
VERIZON	2,939.32
VERIZON	149.00
VERIZON	948.28
VESTIS	485.04
VIP CAR WASH & LUBE LLC	171.00
W.E. TIMMERMAN EQUIPMENT CO	221.66
AGGRESSIVE ENERGY LLC	4,898.12
BILL O'SHEA'S	278.90
CER JR WILDCATS BOOSTER CLUB	5,824.98
CHASEN, LAMPARELLO, MALLON	4,817.10
DELGADO INTERPRETING SERVICES	310.00
DISASTER GROUP	1,200.00
IMPRESSIVE PRINTING INC	2,935.62
J.E.M.A.	935.00
MEADOWLANDS HARDWARE	45.98
MSI TECHNOLOGIES LLC	302.50
PSE&G	21,309.42
TILCON NEW YORK INC	15,390.00
VEOLIA WATER NEW JERSEY	44.13
UNITED STATES TREASURY	40.73
VERIZON BUSINESS	43.18
TOTAL	\$ 4,226,006.85

Mayor Zimmermann entertained a motion to approve the payment of bills.

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

HEARING OF CITIZENS

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

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

Mayor Zimmermann asked if anyone wished to speak.

Gunter Kuprat, 501 Washington Street - he asked the reason why they removed the wreath from the Municipal Building. Mayor Zimmermann said to Mr. Kuprat that he is going to look into it.

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

**CONSIDERATION OF ORDINANCES
FIRST READING**

ORDINANCE NO. 24-6

**BOROUGH OF CARLSTADT
COUNTY OF BERGEN**

**ORDINANCE AUTHORIZING A FINANCIAL AGREEMENT FOR A WAREHOUSING AND
DISTRIBUTION FACILITY TO BE CONSTRUCTED UPON REAL PROPERTY COMMONLY
KNOWN AS 450 SIXTEENTH STREET, FORMERLY KNOWN AS 511 THIRTEENTH
STREET, BLOCK 91 LOT 1, HM, BOROUGH TAX MAP DESIGNATION BY TA CARLSTADT
LOGISTICS CENTER URBAN RENEWAL LLC., PURSUANT TO THE LONG-TERM TAX
EXEMPTION LAW,
N.J.S.A. 40A: 20-1 ET SEQ.**

WHEREAS, TA CARLSTADT LOGISTICS CENTER URBAN RENEWAL LLC., (the “Entity”), is a limited liability company formed under the laws of the State of New Jersey and qualified as an urban renewal entity under the Long-Term Tax Exemption Law and qualified to do business in the State of New Jersey; and

WHEREAS, on September 29, 2003, the New Jersey Meadowlands Commission, predecessor agency to the New Jersey Sports and Exposition Authority (“NJSEA”), passed Resolution No. 03-66, later revised by Resolution 12-55 adopted on December 19, 2012, adopting the Paterson Plank Road Redevelopment Plan (the “Redevelopment Plan”) pursuant to N.J.S.A. 13:17-21; and

WHEREAS, consistent with the Redevelopment Plan, the Entity, intends to redevelop property known as 450 Sixteenth Street, formerly known as 511 Thirteenth Street, Carlstadt, New Jersey, also known as Block 91 Lot 1, HM on the Official Borough of Carlstadt Tax Map (“the Project Area”) into a warehouse distribution and / or light manufacturing facility consisting of approximately 133,123 square feet rentable building area in size with an extension of an off-site sanitary sewer main (“Project”); and

WHEREAS, the Project was approved by the NJSEA by Revised Conditional Zoning Certificate issued on February 7, 2023; 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, including the Redevelopment Plan and assumed jurisdiction over all zoning and redevelopment in the Borough except where specifically excluded as set forth in the Ordinance; and

COUNCIL MEETING

July 17, 2024

Page 20

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: The Project involves the construction of an approximately 133,123 square foot rentable state of the art industrial/ distribution warehouse and/or light manufacturing space along with associated site improvements and the construction of an off-site sanitary sewer main and associated milling and paving.

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. The area is currently undergoing extensive redevelopment and this Project will be in keeping with that progress. The Project will create local jobs during the construction phase of the Project, and it is estimated to provide approximately 80 permanent jobs thereafter. The Project conforms to the applicable zoning requirements of the Paterson Plank Road Redevelopment Plan and has received approval from the NJSEA. The Project will not place any demand on school services and will have a low demand for municipal services in general.

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. The employment created will benefit local businesses and provide potential employment opportunities for residents. The Project will be a positive improvement on the aesthetics of the area by eliminating an unattractive site and the Project will provide an attractive, well landscaped appearance to the public. The Project will increase the amount paid to the Borough. The current real estate yearly tax collected on the property is slightly less than \$2,000.00 per year. The Project's annual service charge upon completion would be approximately \$399,000.00per year in the first full year of operation. The collection over the 30-year life of the tax exemption would be more than \$18 million dollars. 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 ensure a positive impact on the surrounding area and 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 The project will improve the environmental condition of the property.

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

The Application of TA CARLSTADT LOGISTICS CENTER URBAN RENEWAL LLC., a New Jersey Urban Renewal Entity, for Block 91, Lot 1, HM, commonly known as 450 Sixteenth Street is hereby accepted and approved.

The Mayor and Borough Clerk are hereby authorized and directed to execute the Financial Agreement substantially in the form attached hereto as Attachment A 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.

The Mayor, in consultation with counsel to the Borough, is further authorized to prepare, amend or execute the Financial Agreement and any other agreements necessary to effectuate this ordinance, subject to modification or revisions, as deemed necessary and appropriate. All ordinances, or parts of ordinances inconsistent herewith, are hereby repealed to the extent of such inconsistencies.

RESOLUTION NO. 2024-176

BE IT RESOLVED that the ordinance entitled:

ORDINANCE AUTHORIZING A FINANCIAL AGREEMENT FOR A WAREHOUSING AND DISTRIBUTION FACILITY TO BE CONSTRUCTED UPON REAL PROPERTY COMMONLY KNOWN AS 450 SIXTEENTH STREET, FORMERLY KNOWN AS 511 THIRTEENTH STREET, BLOCK 91 LOT 1, HM, BOROUGH TAX MAP DESIGNATION BY TA CARLSTADT LOGISTICS CENTER URBAN RENEWAL LLC., PURSUANT TO THE LONG-TERM TAX EXEMPTION LAW, N.J.S.A. 40A: 20-1 ET SEQ.

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 7th day of August, 2024 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.

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

ORDINANCE NO. 24-7

AN ORDINANCE AMENDING SECTION 2-20.1. OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED DEPARTMENT OF PUBLIC WORKS, CREATION OF POSITION.

2-20.1. Creation of Positions. There shall be a position of Operations Manager in the Department of Public Works. **There shall also be a position of Supervisor in the Department of Public Works who shall be subject to the supervision of the Operations Manager.**

COUNCIL MEETING

July 17, 2024

Page 22

- a. The Operations Manager **and Supervisor** shall be named and designated by the Mayor and hired with the advice and consent of the Council.
- b. Employment status. The Operations Manager shall be a nonexempt, full-time, salaried employee of the Borough and receive such benefits equivalent to those provided to all other department heads. **The Supervisor shall be a nonexempt, part- or full-time salaried employee of the Borough and may receive such benefits as designated by the Mayor and Council.**
- c. Qualifications. The Operations Manager, prior to hiring, shall possess a Bachelor's degree from an accredited college or university, have at least three years of relevant experience in public works or a related field, shall be a resident of the Borough, possess a valid driver's license in the State of New Jersey, and be qualified by education, training and experience to perform the duties of the office as set forth in Subsection 2-20.2 below. Certified Public Works Manager (CPWM), Certified Facilities Manager (FM) or Landscape Industry Certified Manager (LICM) credentials are preferred. **The Supervisor, prior to hiring, shall possess a minimum of three years of relevant experience in public works or a related field, shall be a resident of the Borough and shall possess a valid driver's license in the State of New Jersey.**

RESOLUTION NO. 2024-177

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE AMENDING SECTION 2-20.1. OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, ENTITLED DEPARTMENT OF PUBLIC WORKS, CREATION OF POSITION.

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 7th day of August, 2024 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.

On motion by Lenoy, seconded by Roseman, 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 8:34 P.M.
On motion by DeBiase, seconded by Roseman, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to open the meeting at 10:38 P.M.
On motion by Fonseca, seconded by Roseman, unanimous on call of roll of those present.

MISCELLANOUS/NEW BUSINESS

Mayor Zimmermann entertained a motion to share services with Rutherford with the Code Enforcement Officer Giuseppe Russo. On motion by Fonseca, seconded by Emerson, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to appoint Joseph DeSalvo as Electrical Sub-Code Official to start September 1, 2024 at \$15,000 per year. On motion by Fonseca, seconded by Roseman, unanimous on call of roll of those present.

RESOLUTION NO. 2024-178

**A RESOLUTION OF THE BOROUGH OF CARLSTADT, COUNTY OF BERGEN,
STATE OF NEW JERSEY SUPPORTING AXIS WELLNESS, LLC'S APPLICATION
TO THE CANNABIS REGULATORY COMMISSION FOR A CLASS 1 CULTIVATOR,
CLASS 2 MANUFACTURER AND A CLASS 5 CANNABIS RETAILER 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

COUNCIL MEETING

July 17, 2024

Page 24

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, Axis Wellness, LLC ("Axis Wellness") submitted its business plan to the Borough's governing body and demonstrated proof that it has secured a location for its proposed operations at 240 Paterson Plank Road, Carlstadt, NJ (the "Location"); and

WHEREAS, the Borough has authorized the type of cannabis business license being sought by Axis Wellness within its jurisdiction, namely a Class 1 Cultivator, a Class 2 Manufacturer and a Class 5 Cannabis Retailer License; and

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

WHEREAS, the Council is satisfied that Axis Wellness will have a positive impact on the Borough's community, and, subject to Axis Wellness's receipt of a Class 1 Cultivator, a Class 2 Manufacturer and a Class 5 Cannabis Retailer 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 Axis Wellness's Class 1 Cultivator, Class 2 Manufacturer and Class 5 Cannabis Retailer License application to the CRC, and is satisfied that Axis Wellness's Location is suitable for its proposed cannabis cultivator, manufacturing and 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 cultivator, manufacturer and retailer, as will be conducted at the proposed cannabis business premises; and

BE IT FURTHER RESOLVED that Axis Wellness's ability to operate its proposed cannabis retail business in Carlstadt is subject to: (1) Axis Wellness's receipt of a Class 1 Cultivator, Class 2 Manufacturer and Class 5 Cannabis Retailer License from the CRC; and (2) Axis Wellness'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 Resolution No. 2024-178 as presented by the Borough Attorney's recommendation. On motion by Fonseca, seconded by DeBiase, unanimous on call of roll of those present.

RESOLUTION NO. 2024-179

**A RESOLUTION OF THE BOROUGH OF CARLSTADT, COUNTY OF BERGEN,
STATE OF NEW JERSEY SUPPORTING CRAFTED CANNABIS, LLC'S
APPLICATION TO THE CANNABIS REGULATORY COMMISSION FOR A CLASS 5
CANNABIS RETAILER 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, Crafted Cannabis, LLC ("Crafted Cannabis") submitted its business plan to the Borough's governing body and demonstrated proof that it has secured a location for its proposed operations at 711 Route 17 North, Carlstadt, NJ (the "Location"); and

COUNCIL MEETING

July 17, 2024

Page 26

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

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

WHEREAS, the Council is satisfied that Crafted Cannabis will have a positive impact on the Borough's community, and, subject to Crafted Cannabis's receipt of a Class 5 Cannabis Retailer 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 Crafted Cannabis's Class 5 Cannabis Retailer License application to the CRC, and is satisfied that Crafted Cannabis'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 Crafted Cannabis's ability to operate its proposed cannabis retail business in Carlstadt is subject to: (1) Crafted Cannabis's receipt of a Class 5 Cannabis Retailer License from the CRC; and (2) Crafted Cannabis'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 Resolution No. 2024-179 as presented by the Borough Attorney's recommendation. On motion by Fonseca, seconded by Roseman, unanimous on call of roll of those present.

Mayor Zimmermann entertained a motion to adjourn the meeting at 10:45 P.M. On motion by Fonseca, seconded by DeBiase, unanimous on call of roll of those present.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK