

**CAUCUS/FINANCE MEETING
March 5, 2025**

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, March 5, 2025 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, Suzanne Fonseca and Diane DeBiase were present. Councilman William Roseman arrived at 7:18 P.M.

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 7, 2025 and the Herald News on January 7, 2025 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 February 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.

Mr. Polyniak asked if anyone had any questions. Councilman Emerson said just on the bids for cutting of all the grass on Borough properties, what does that include and what is not included?

Mr. Polyniak said spring clean up includes the cutting of grass and some of the shrub maintenance at the facilities and potential chemical placement. Councilman Emerson asked will it just be cutting. Mr. Polyniak said there will also be treatment.

Robert Ceberio of RCM Ceberio, LLC Management Consultants read his report for the month of February 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. 2025-84

AUTHORIZE BUDGET TRANSFERS BETWEEN APPROPRIATION RESERVES

ACCOUNTS PURSUANT TO N.J.S.A 40a:4-59

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WHEREAS, various 2024 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2024 Budget in the last two months of 2024; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the closed of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, in the County of Bergen, State of New Jersey, that the transfers in the amount of \$71,175.90 be made between the 2024 Budget Appropriation Reserves as follows:

<u>DESCRIPTION</u>	<u>ACCOUNT NUMBER</u>	<u>TRANSEFER FROM</u>	<u>TRANSFER TO</u>
POLICE SALARY AND WAGES	4-01-25-240-111	1,155.00	
ENGINEERING: OTHER EXPENSES	4-01-20-165-248		1,155.00
LANDFILL: SOLID WASTE REMOVAL	4-01-32-465-248	32,924.99	
UTILITIES: GAS (NATURAL OR PROPANE)	4-01-31-446-220	17,639.31	
UTILITIES: WATER	4-01-31-445-220	19,257.05	
RECREATION: OTHER EXPENSES	4-01-28-370-248	199.55	
TAX APPEALS (TAX REFUNDS): OTHER EXPENSES	4-01-30-426-248		70,020.90
		71,175.90	71,175.90

RESOLUTION NO. 2025-85
AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, Borough of Carlstadt is required by the New Jersey Department of Environmental Protection (NJDEP) to map its Municipal Separate Storm Sewer System (MS4) as part of the Municipal Stormwater Management Program; and

WHEREAS, Neglia Group has provided the Borough with an Agreement for Professional Services for this project; and

WHEREAS, the Agreement for Professional Services includes a cost to be invoiced on a lump sum basis in the amount of \$169,200.00 for Surveying and GIS services for the NJDEP MS4 Requirement Portion; 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 Group, 34 Park Avenue, Lyndhurst, New Jersey.

RESOLUTION NO. 2025-86

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Carlstadt Fire Department be granted permission to hold a raffle on Friday, April 18, 2025 from 6:00 P.M. to 8:00P.M. at the Carlstadt Borough Hall, 500 Madison 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. 2025-87

WHEREAS, it has been determined by Borough of Carlstadt Tax Assessor William Yirce that Joes & Danydza Quimisvasquez are the property owners of 440 Sixth Street, Carlstadt, New Jersey 07072 Block 65 Lot 22.

WHEREAS, Danydza Quimisvasquez has met the requirements to be considered as 100% Disabled Veteran from the United States Army as of 9/17/2024.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt, that Danydza Quimisvasquez are 100% exempt from paying property taxes at their property located at 440 Sixth Street, Carlstadt, New Jersey 07072 Block 65 Lot 22 for as long as they own said property and the Tax Collector shall adjust his books accordingly.

A copy of this Resolution shall be sent to the property owner.

RESOLUTION NO. 2025-88 (Removed from Consent Agenda)
2024 LOSAP

RESOLUTION NO. 2025-89

WHEREAS, Next Limo LLC operating from 321 Tenth Street, Carlstadt, NJ 07072 has made application to the Borough of Carlstadt for one (1) additional limousine license; and

WHEREAS, the application has been filed together with the requisite fee and proof of insurance and Power of Attorney as required under N.J.S.A. 48:16-14 and 16 and vehicle and driver information as required by the ordinance to the satisfaction of the Borough Clerk.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application of Next Limo LLC to operate one (1) additional limousine at 321 Tenth Street, Carlstadt, NJ 07072 be and hereby is approved for

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VIN # 296133 nunc pro tunc.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the license to operate one (1) additional limousine at the above referenced location for the period of one year, commencing February 26, 2025 and ending on February 26, 2026 and a Certificate of Compliance with the requirements of N.J.S.A. 48:16-14 and 16, through the period indicated on the proof of insurance as submitted with the application.

RESOLUTION NO. 2025-90

WHEREAS, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for the renewal of one (1) limousine license; and

WHEREAS, the renewal application has been filed together with the requisite fee, and proof of insurance and Power of Attorney as required under N.J.S.A. 48:16-14 and 16 and vehicle and driver information as required by the ordinance to the satisfaction of the Borough Clerk.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application of Pegasus Transport Service, Inc. to renew one (1) limousine license at 800 Central Boulevard, Carlstadt, NJ 07072 be and hereby is approved for Vin # 177360 nunc pro tunc.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the renewal of one (1) limousine license at the above referenced location for the period of one year, commencing February 26, 2025 and ending on February 26, 2026 and a Certificate of Compliance with the requirements of N.J.S.A. 48:16-14 and 16, through the period indicated on the proof of insurance as submitted with the application.

RESOLUTION NO. 2025-91

WHEREAS, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for one additional limousine license; and

WHEREAS, the application has been filed together with the requisite fee, and proof of insurance and Power of Attorney as required under N.J.S.A. 48:16-14 and 16 and vehicle and driver information as required by the ordinance to the satisfaction of the Borough Clerk.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application of Pegasus Transport Service, Inc. to operate one additional limousine license at 800 D Central Boulevard, Carlstadt, NJ 07072 be and hereby is approved for VIN # 171972 nunc pro tunc.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the license to operate one additional limousine at the above referenced location for

the period of one year, commencing February 26, 2025 and ending on February 26, 2026 and a Certificate of Compliance with the requirements of N.J.S.A. 48:16-14 and 16, through the period indicated on the proof of insurance as submitted with the application.

RESOLUTION NO. 2025-92
CARLSTADT CIVIL RIGHTS RESOLUTION

A RESOLUTION TO AFFIRM THE BOROUGH OF CARLSTADT'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the Borough of Carlstadt to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Carlstadt has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Borough of Carlstadt that:

Section 1: No official, employee, appointee or volunteer of the Borough of Carlstadt by whatever title known, or any entity that is in any way a part of the Borough of Carlstadt shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Carlstadt's business or using the facilities or property of the Borough of Carlstadt.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Carlstadt to provide services that otherwise could be performed by the Borough of Carlstadt.

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Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Mayor and Council shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Mayor and Council shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Carlstadt as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Mayor and Council shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Mayor and Council shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Carlstadt. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Carlstadt's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Carlstadt in order for the public to be made aware of this policy and the Borough of Carlstadt's commitment to the implementation and enforcement of this policy.

RESOLUTION NO. 2025-93

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. 419 Madison 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 location shall be added to the certified list of designated handicapped parking spaces.

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

CONSIDERATION OF ORDINANCES

Mayor Zimmermann entertained a motion to carry over Ordinance 25-2 (Flood Plain Management Regulations) to March 19, 2025. On motion by Fonseca, seconded by Emerson, unanimous on call of roll of those present.

ORDINANCE NO. 25-4

AN ORDINANCE TO ESTABLISH A NEW CHAPTER IN THE CODE OF THE BOROUGH OF CARLSTADT, CHAPTER XXIII ENTITLED, "RESTRICTED AREAS IN BUILDINGS WHERE MUNICIPAL OPERATIONS ARE CONDUCTED LIMITED TO AUTHORIZED EMPLOYEES ONLY TO PROTECT AND SAFEGUARD PUBLIC RECORDS CONTAINING PERSONALLY IDENTIFIABLE INFORMATION"

WHEREAS, the Borough of Carlstadt recognizes the importance of the rights guaranteed under the First Amendment of the United States Constitution and Article I Section 6 of the New Jersey Constitution; and

WHEREAS, the Borough of Carlstadt acknowledges that as a matter of public policy, the rights afforded by the First Amendment of the United States Constitution and Article I Section 6 of the New Jersey Constitution are not unlimited; and

WHEREAS, the rights afforded by the First Amendment of the United States Constitution and Article I Section 6 of the New Jersey Constitution are subject to reasonable time, place and manner restrictions; and

WHEREAS, the Borough of Carlstadt officials and employees have a responsibility to maintain and safeguard public records that consist of confidential information; and

WHEREAS, to adequately comply with the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 and to comply with the statutorily defined responsibilities, the maintenance and custody of specific records are required; and

WHEREAS, municipal officials assigned this responsibility include, but are not limited to; the Municipal Clerk, Police Chief, Emergency Management Coordinator, CVAC Captain/President, Library Director, Chief Financial Officer, Tax Collector, Tax Assessor, Municipal Court Administrator, Municipal Prosecutor, Public Defender, Municipal Court

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Judge, Construction Official, Superintendent of Public Works, Fire Chief, Fire Official, Board of Health Secretary/Registrar and the Borough Administrator; and

WHEREAS, the responsibility for the maintenance and safeguarding of records, reports, documents and information in municipal offices may not be available for immediate public view since they may contain personal information, phone numbers, social security numbers, dates of birth and other confidential information; and

WHEREAS, securing these records maintains the integrity of this information and when an Open Public Records Act request is received, and it is determined that a requestor is entitled to the records, the records can be released individually and redacted as required by law; and

WHEREAS, it is not expected that municipal employees physically intervene to protect a record and creating secure areas with clear signage will help deter persons from collecting records which they are not entitled to receive without following the process required by the Open Public Records Act.

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

SECTION 1

For the exception of public reception spaces, the municipal office areas in the Carlstadt Police Department and the Carlstadt Borough Hall, 500 Madison Street, Carlstadt, NJ 07072,

Department of Public Works, 105 Kero Road, Carlstadt, NJ 07072, Fire Department, 500 Madison Street, Carlstadt, NJ 07072,

Carlstadt Volunteer Ambulance Corp., 424 Hackensack Street, Carlstadt, NJ 07072, Historic Society Building, 503 6th Street, Carlstadt, NJ 07072, Carlstadt Public Library, 420 Hackensack Street, Carlstadt, NJ 07072, Sun-Chemical Borough Archives Rooms, 631 Central Avenue, Carlstadt, NJ 07072 and the Carlstadt Community Center, 425 4th Street, Carlstadt, NJ 07072

have been secured and such areas and offices are not open to the public for the purpose of protecting documents, digital data and other written, copied or printed materials that are not subject to the Open Public Records Act, which may include, but are not limited to, personally identifiable information that is protected by the Statutes of the State of New Jersey and the Federal laws of the United States.

SECTION 2

The Borough of Carlstadt shall be required to post signs outside of offices which read the following but not limited to the following wording, "Restricted Area", "Authorized Employees

Only”, “Recording or Photography is Strictly Prohibited”. “Violators are Subject to Criminal Prosecution”. Any variation of the above language shall all include, “Violators are Subject to Criminal Prosecution”.

SECTION 3

Persons that trespass these posted, protected offices may be subject to prosecution under N.J.S.A. 2C-18-3.

SECTION 4

This ordinance shall take effect after publication thereof and final passage as required by law.

RESOLUTION NO. 2025-94

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE TO ESTABLISH A NEW CHAPTER IN THE CODE OF THE BOROUGH OF CARLSTADT, CHAPTER XXII ENTITLED, “RESTRICTED AREAS IN BUILDINGS WHERE MUNICIPAL OPERATIONS ARE AREAS IN BUILDINGS WHERE MUNICIPAL OPERATIONS ARE CONDUCTED LIMITED TO AUTHORIZED EMPLOYEES ONLY TO PROTECT AND SAFEGUARD PUBLIC RECORDS CONTAINING PERSONALLY IDENTIFIABLE INFORMATION”

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 19th day of March, 2025 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 introduce Ordinance No. 25-4. On motion by DiBiase, seconded by Fonseca, unanimous on call of roll of those present.

HEARING OF CITIZENS

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

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

Mayor Zimmermann asked if any citizen wished to be heard.

Mayor Zimmermann said to let the record note there was no citizen that wished to speak.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt hereby moves to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 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 7:19 P.M. On motion by Emerson, seconded Fonseca, unanimous on call of roll.

The meeting went back into open session at 9:44 P.M. On motion by DeBiase, seconded by Emerson unanimous on call of roll.

RESOLUTION NO. 2025-95

WHEREAS, the Borough of Carlstadt has solicited quotes for the 2025 Summer Concert Series; and

WHEREAS, the money for said project has been appropriated in the 2025 budget; and

WHEREAS, of the three (3) received solicitations, the quote of Cliffhanger Productions, 161 Park Avenue, Rutherford, NJ 07070, in the amount of \$44,000.00 was the lowest responsible quote for the Base Bid, and complete in all respects.

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

1. An award of contract for the 2025 Summer Concert Series shall be made to Cliffhanger

Productions, 161 Park Avenue, Rutherford, NJ 07070 in the quote amount of \$44,000.00;
and

2. This resolution to take effect upon certification of this resolution by the Chief Financial Officer that sufficient funds are available.

Certification as to the availability of funds:

The Chief Financial Officer/Treasurer hereby certifies that sufficient funds are available to pay the anticipated amount of the fees and disbursement for these services.

Mayor Zimmermann said we need to approve the bid solicitation for Cliffhanger. On motion by Emerson, seconded by Stoltz, unanimous on call of roll.

Mayor Zimmermann entertained a motion to approve the part time DPW worker per-diem as needed, Ian Crudele of North Arlington, N.J. and he is a college student. We will use him for the spring, summer and to cover vacations. The is no long-term commitment. On motion by Fonseca, seconded by Lenoy, unanimous on call of roll.

Joseph Crifasi, Borough Administrator said we already signed the DPW contract. We just need a vote for the Mayor to officially sign the full document that was retyped modern day word document. Mayor Zimmermann entertained a motion to approve this. On motion Emerson, seconded by DeBiase, unanimous on call of roll.

Joseph Crifasi, Borough Administrator said he just wants confirmation that he is sending the two Police recruits offer letters tomorrow and their swearing in will be Wednesday, March 19, 2025 at 8:00 P.M. On motion by Emerson, seconded by Fonseca, unanimous on call of roll.

Mayor Zimmermann entertained a motion to adjourn the meeting at 9:47 P.M. On motion by Fonseca, seconded by Emerson, unanimous on call of roll.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK

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