

**CAUCUS/FINANCE MEETING**  
**April 1, 2020**

**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, April 1, 2020 at 4:30 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 responded present. All Council members and professionals responded telephonically.

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 6, 2020 and the Herald News on January 6, 2020 a copy of which is on the Bulletin Board in the Borough Hall and a copy on file in the office of the Borough Clerk.

Mayor Zimmermann read the following rescheduled meeting notice which was posted on the Borough's website and sent to The Record:

**BOROUGH OF CARLSTADT RESCHEDULED MEETING NOTICE**

The April 1, 2020 Caucus/Finance Meetings have been rescheduled from 7:00 P.M. to 4:30 P.M. in the Borough Hall Caucus Room, 500 Madison Street, Carlstadt N.J. 07072. Borough Hall has been closed to the public for public safety purposes. Given the current state of emergency and in the interest of public safety, the public will not be permitted to attend the meeting but can listen in by dialing: 425-436-6300 access #592364.

Mayor Zimmermann read correspondence from Domenick Giancaspro, CFO regarding COVID-19 EPIDEMIC. The Finance Department is taking steps to ensure the availability of funds to make mandatory payments to schools, employee payroll, pensions and county taxes. The Finance Department is requesting that all non-emergency spending and all overtime cease unless approval is obtained from the Mayor and Council. If the Borough's collection of taxes is not sufficient to make the mandated payments, then it will be necessary to apply for a TAN (Tax Anticipation Note) and the interest on the note could impact next year's budget.

Gregory Polyniak of Neglia Engineering read his report for the month 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.

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Dennis Kronyak, Assistant Chief of the Fire Department, read his report with regards to the situation with the coronavirus as to how they are handling fire calls and the safety of the members; also, the situation with the Econo Lodge Motel that has forty-three people staying there. They are not COVID-19 related. Robert Moore, Fire Official was there today and all of the people are ambulatory and are able to leave if there was a fire.

Robert Ceberio of RCM Ceberio LLC read his report for the month and is on file in the office of the Borough Clerk.

### **COUNCILWOMAN SUZANNE FONSECA**

She mentioned the text she received about all the rubber gloves that are on the ground everywhere. She is glad the sweeper is going around to get rid of them but we need to do something about the people who are doing this littering.

### **COUNCILMAN WILLIAM ROSEMAN**

He had a few things for closed session.

### **COUNCILMAN JAMES LENOY**

He had nothing to discuss at this time.

### **COUNCILWOMAN DIANE DEBIASE**

She asked how is it going with the food distribution to the senior citizens. Mayor Zimmermann replied we had a call from Meals on Wheels to help deliver the meals for the week. What they do is prepare the meals for the week and we go up to the County to pick them up. They are frozen meals. Joseph Crifasi, DPW Operations Manager, mentioned that Bruce Young will make a call to the County and tell them how many meals they need. Last week we had five meals to be picked up. We go every Tuesday morning to get the meals. This week we had fourteen seven-day packages to pick up. Between now and next Tuesday, we will have the same amount to pick up. If we get anymore calls from seniors, we will add to it. Joseph Crifasi said we have set up a running credit with Stop n Shop in Carlstadt. They will give us a bill at the end of the month.

### **COUNCILMAN JOSEPH EMERSON**

He brought up summer recreation and if we are going to table it. Mayor Zimmermann said that is a decision we are going to have to make pretty soon. The way things are trending it may not be possible this year. We get about two hundred thirty children to sign up in addition to about sixty counselors. It is close to three hundred people each day for five days. It will be hard if we have to go inside in the gym. Outside is better but there are always rainy days. If we are going to table this, we have to make it sooner or later to let the public know. Joseph Crifasi said we usually publish this around May 15. So, between your next public meeting in April and your first meeting in May, you may want to keep in touch with each other and when you get to your final meeting to make a decision if health is going to be compromised. Then we can postpone it until further notice.

Councilman Roseman had some questions regarding the employees and their salaries. He knows that in corporate business and non profit business there is something to help them out. Is there anything we can do to find out perhaps from the League of Municipalities whether there is anything to help other than FEMA to assist us in regards to our employees' salaries? We will have two problems with the lack of revenue and if corporations are closed for three or four months which is a lion share of our taxes. We may have a big problem financially. Councilman Roseman went into further detail on this. Mayor Zimmermann said he received information from the governor's office and also on the federal level with the bills they are passing now. There will be relief for local municipalities. On the federal level and the state, they do realize the collection of taxes is going to be difficult. We have the information for that and setting up to take advantage of that.

### **COUNCILMAN DAVID STOLTZ**

He had nothing to discuss at this.

Claire Foy told the Council she spoke to someone in the legal department of the ABC and mentioned that she usually sends out letters the beginning of April requesting the liquor license renewal fees. They told her to hold off until the third week in April to see how things go. Then they will let us know how to go accordingly.

Mayor Zimmermann asked Josh Donahue, our Borough Attorney, if he wanted to discuss anything. Josh replied he wanted to talk about the Econo Lodge situation. He replied that the Mayor and he had a conference call with a number of people including the CEO of St. Mary's hospital and an attorney on governor's counsel. There was also an attorney from the Department of Human Services. Mayor Zimmermann expressed the town's concern about the hotel and what was happening there. The town was opposed to them being there. There are potential zoning violations and that the hotel went behind the town's back to do this. They were told three weeks ago or whenever it was that the town was opposed to it and couldn't do it. Yet the Econo Lodge did it anyway. Josh said he had a conversation with Andrea, a woman from HHS who was very political and a complete politician. She was saying she understands our pain. She didn't give any specifics as to who the people are or why they are there. Their health records are protected. This is not the Department of Health; it is the Department of Human Service. She wouldn't identify exactly who they were and in relation to St. Mary's hospital. Josh asked if this was a government issued order. The state can supersede local government and do whatever they want. Josh said what they agreed to do on Friday is there will be another call. It was stated today that none of these people have the coronavirus. Josh also said he doesn't know if that is true. Mayor Zimmermann replied it is like a vicious cycle. Every time we asked them if they are patients, they replied due to privacy laws, they are really just residents. They are trying to show they are just people there but they are also under medical care. Every time we asked them could you tell us in writing or who these people are. They would back track and say we can't tell you that.

Councilman Roseman replied the only alternative is this is a zoning violation. They are using this as a hospital facility or a care taking facility and that is not in our zoning code in our municipality.

Mayor Zimmermann said when he mentioned there were two women there in full PPE gear, the CEO said they are not nurses. Mayor Zimmermann replied if they are not nurses, then who are they. The

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reply to that was they can not really say. Mayor Zimmermann said we are going to investigate and see. Councilwoman Fonseca asked if drugs are being issued and what is going on. Mayor Zimmermann replied that is what we are trying to get the facts on. It was murky to say the least. Josh replied the woman from the Department of Human Services said she does not want us to evict them. She said that three or four times. Josh said no one said anything about eviction but what the Mayor said is this is a potential zoning violation. We need to know who these people are and what their affliction is.

Mayor Zimmermann said in the beginning part of the phone call the CEO referred to them as patients but at the end he said he misspoke and said they are residents. Mayor Zimmermann also said the CEO said these are residents that have case workers. They do have some underlying medical conditions and they are not patients there. All of the Council members wanted to know what is the time frame of how long they will be there. The people at the Econo Lodge had no idea they did this behind our back. They thought they had the full backing of the Governing Body. The woman from the Department of Human Services had no idea that was the case and apologized numerous times when she heard this. When Mayor Zimmermann told the Econo Lodge they didn't want them to do this because we are a small town with a small ambulance corps, a volunteer fire department, and a small police department and that this will put a strain on our services and put our first responders in harms way. He further said he has the responsibility to keep the first responders and residents protected.

Mayor Zimmermann said we will have another call with them on Friday and make it clear at the end of the call that we have to find a solution here. If they have other hotels that reached out to them or they have reached out to them, to start looking.

Joseph Crifasi replied that Frank Recanati, Construction Official, issued a violation notice today that was hand delivered to the owner of the Econo Lodge. It states he has seven days to rectify the problem or he receives a \$2,000.00 fine. This will take us to next Wednesday, April 8, 2020. This amount will be each week.

Councilman Roseman wanted to know what charge did Frank Recanati charge them with. Joseph Crifasi replied the violation was the hotel is in an R1 Zone and is being used as an institutional facility which is a violation.

Mayor Zimmermann said he is now going to go through the agenda for the meeting.

We received a bid for the bicycles and scooter which was \$56.00 from Jersey One Auto Sales. We also had some discussion about donating the bicycles.

Mayor Zimmermann entertained a motion to reject the \$56.00 bid from Jersey One Auto Sales for the bicycles and scooter and re-advertise them.

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

Mayor Zimmermann entertained a motion to rescind Resolution No. 2020-84-A appointing the Tax Assessor for one year.

Josh mentioned what happened is we appointed William Yirce as the Tax Assessor for one year. We got a call from the Division of Taxation and the appointment has to be for the balance of the year which runs to June 30, 2020 and then a four-year term thereafter. They were pretty adamant about that so we are looking to rescind the appointment for the one year and reappoint and introduce a new resolution to reappoint him for a period of three months to June 30, 2020 and then for a four-year appointment thereafter.

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

### **RESOLUTION NO. 2020-99**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, that Mayor Robert J. Zimmermann has appointed William Yirce as the Tax Assessor for the Borough of Carlstadt from March 5, 2020 until June 30, 2020 and then for a four-year term from July 1, 2020 until June 30, 2024. Appointment to be effective March 5, 2020.

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

Mayor Zimmermann entertained a motion to table the salary Ordinance No. 20-3 due to the situations that are happening here.

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

Mayor Zimmermann said we have to decide the date of May 6, 2020 or May 20, 2020 for the hearing for Orchard/Garden Street Park Improvements Project-Phase II. The advertisement has to be placed in the paper ten days prior to the hearing.

Everyone was in agreement to the date of May 20, 2020 for the hearing of Orchard/Garden Street Park Improvements Project-Phase II.

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

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 citizens are on the line to speak at this time.

Mayor Zimmermann said there is no citizen that wishes to be heard.

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

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

Josh Donahue, Borough Attorney, said he spoke to Joseph Crifasi about this as well as Claire and he thinks the last time we advertised the meeting we said we would put up the minutes the following day. But given the situation in town and throughout the world, that has not happened. Josh is volunteering to draft the minutes for today's meeting and give them to Claire for approval. Mayor Zimmermann and Claire Foy appreciated his gesture to do this.

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Mayor Zimmermann said he would like to have closed session but we have to figure out a way to do closed session. He was thinking he could do it over his cell phone to conference people in but he doesn't know how many calls his cell can hold.

Someone asked is it important to go into closed session and asked Councilman Roseman is it that important to go into closed session. Mayor Roseman said he did bring this up before with regards to the Econo Lodge and the zoning issue there.

Someone brought up doing closed session using Zoom. Councilman Roseman said he had this issue at his business. He went into detail on other things you can do with this. Mayor Zimmermann said we will look into this.

Mayor Zimmermann entertained a motion to adjourn the meeting at 5:37 P.M. On motion by Roseman, seconded by Stoltz, unanimous on call of roll.

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

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