

CAUCUS/FINANCE MEETING
May 6, 2020

A RESCHEDULED 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, May 6, 2020 at 4:00 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 responded present. Councilman William Roseman was present at 4:35 P.M. All Council members and professionals responded telephonically.

Joseph Crifasi, DPW Operations Manager, Dennis Kronyak, Assistant Fire Chief, Gregory Polyniak of Neglia Engineering and Joseph Donahue, Borough Attorney were also present 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 published in The Record on April 30, 2020.

BOROUGH OF CARLSTADT RESCHEDULED MEETING NOTICE

The May 6, 2020 Caucus/Finance Meetings have been rescheduled from 7:00 P.M. to 4:00 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.

PROFESSIONAL REPORTS

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.

Robert Ceberio of RCM Ceberio LLC – Not present - His report was distributed prior to the meeting.

CONSENT AGENDA
RESOLUTION NO. 2020-108

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that St. Dominic Academy Alumnae Association, 2572 JF Kennedy Blvd., Jersey City, NJ 07006 amend their raffle license as requested due to the COVID-19 pandemic.

RESOLUTION NO. 2020-109

WHEREAS, there exists a National Pandemic of the Coronavirus, (Covid-19), which has devastated the national economy; and

WHEREAS, Governor Phillip D. Murphy has enacted **EXECUTIVE ORDER NO. 130** on April 28, 2020 which permits “Any Governing Body of a Municipality with a calendar year budget cycle may adopt a resolution instituting a grace period concluding on a date no later than June 1, 2020 for payment of the second quarter property taxes” (May, 2020 installment); and

WHEREAS, the Governing Body of the Borough of Carlstadt realizing the financial hardship and impact that the Covid-19 Virus has created on the property owners and residents of the Borough of Carlstadt; and

WHEREAS, the due date for the second quarter, (May), 2020 property tax installment shall be due on May 1, 2020 as per Property Tax Bills that were issued in August, 2019.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt, without setting precedent, the “Grace Period” for the second quarter, (May) 2020 property tax installment shall be extended to June 1, 2020 without charging interest and or penalties to that date for the May, 2020 Property Tax Installment.

It is noted that should any payment be received after the June 1, 2020 extended grace period for the May, 2020 property tax installment then interest shall be charged retroactive to the May 1, 2020 property installment date.

It is also noted that this resolution supersedes any previous resolution that may have been approved.

RESOLUTION NO. 2020-110

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 323 Hackensack, LLC for property located at 323 Hackensack Street, Carlstadt, New Jersey 07072 Block 76 Lot 3 as per Docket No. 003728-2017 dated 2/28/2020 reducing the 2017 property tax assessment from \$1,263,400.00 to \$630,000.00 and as per Docket No. 003899-2018 dated 2/28/2020 reducing the 2018 property tax assessment from \$1,292,800.00 to \$630,000.00; and

WHEREAS, the reduction in the 2017 property tax assessment is \$633,400.00 or \$12,072.60 in 2017 property tax and the reduction in the 2018 property tax assessment is \$662,800.00 or \$12,739.06 in 2018 property tax.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$24,811.66 and the Tax Collector shall adjust his books accordingly. (2017: \$12,072.60; 2018: \$12,739.06).

It is noted that the Borough's Finance Officer 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 Tax Appeal Attorney John Bang, 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 Auditor for the Borough of Carlstadt has reviewed the calculations and finds them to be true.

The refund shall be made payable to Winne, Banta, Basralian & Kahn and shall be mailed to Winne, Bana, Basralian & Kahn, P.C. Court Plaza South-East Wing, 21 Main Street, Hackensack, NJ 07602

RESOLUTION NO. 2020-111

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Dair Management Co., L.P. for property located at 773 Washington Avenue, Carlstadt, New Jersey 07072 Block 131.01 Lot 2 as per Docket No. 007329-2017 dated 2/28/2020 reducing the 2017 property tax assessment from \$1,139,900.00 to \$1,080,000.00 and as per Docket No. 007921-2018 dated 2/28/2020 reducing the 2018 property tax assessment from \$1,158,900.00 to \$1,080,000.00 and as per Docket No. 008579-2019 dated 2/28/2020 reducing the 2019 property tax assessment from \$1,184,000.00 to \$850,000.00; and

WHEREAS, the reduction in the 2017 property tax assessment is \$59,900.00 or \$1,141.69 in 2017 property tax and the reduction in the 2018 property tax assessment is \$78,900.00 or \$1,516.45 in 2018 property tax and the reduction in the 2019 property tax assessment is \$334,000.00 or \$6,128.90 in 2019 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$8,787.04 and the Tax Collector shall adjust his books accordingly. (2017: \$1,141.69; 2018: \$1,516.45; 2019: \$6,128.90).

It is noted that the Borough's Finance Officer 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 Tax Appeal Attorney John Bang, 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 Auditor for the Borough of Carlstadt has reviewed the calculations and finds them to be true.

The refund shall be made payable to Mark K. Follender, Esq. and shall be mailed to Mark K. Follender, Esq., Three University Plaza, Suite 207, Hackensack, NJ 07601.

RESOLUTION NO. 2020-112

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Natale Machine & Tool Co. for property located at 335, 339 Thirteenth Street, Carlstadt, New Jersey for Block 111 Lots 1, 2 and 4 as per Docket No. 008639-

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2019 dated 3/25/2020, reducing the 2019 property tax assessment for Block 111 Lot 2 from \$1,127,700.00 to \$902,500.00; and

WHEREAS, the reduction in the 2019 property tax assessment is \$225,200.00 or \$4,132.42 in 2019 property tax.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$4,132.42 and the Tax Collector shall adjust his books accordingly. (2019: \$4,132.42).

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, John Bang, 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: Natale Machine & Tool Co. and shall be mailed to: L. Jeffrey Lewis, LLC, 55 Madison Avenue, Suite 400, Morristown, NJ 07960.

RESOLUTION NO. 2020-113

WHEREAS, Thomas James Cox, Sr. 601 Sixth Street, Carlstadt, New Jersey 07072 had made an application for reappointment to the office of Constable pursuant to the provisions of N.J.S.A. 40A:9-120, et seq. as amended; and

WHEREAS, notification was received from Travelers Casualty and Surety Company of America that Bond No. 103187409 was cancelled due to the fact that Thomas James Cox, Sr. did not wish to renew said Bond.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that Resolution No. 2020-54 adopted on February 5, 2020 reappointing Thomas James Cox, Sr. to the office of Constable is therefore rescinded and his office shall be deemed vacant.

RESOLUTION NO. 2020-114

**RESOLUTION AUTHORIZING CHANGE ORDER N^o 2 FOR
Installation of Landscape Plantings Requested by the Borough**

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

TITLE OF JOB: Zimmermann Park Improvements (Bergen County Open Space Fund)

CONTRACTOR: DTS Trucking LLC

CHANGE ORDER No.: 2

AMOUNT OF CHANGE THIS RESOLUTION: (\$36,750.00) Increase: 7.97%

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

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

UNFINISHED BUSINESS

Mayor Zimmermann entertained a motion to ratify a dish garden for Jean Oosterwyk on the passing of her husband.

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

Mayor Zimmermann entertained a motion to table the salary Ordinance No. 20-3 due to ongoing circumstances (COVID-19 Pandemic.)

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

Mayor Zimmermann entertained a motion to approve the minutes of 4/22/2020 Caucus and Council Meetings.

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

Mayor Zimmermann entertained a motion to approve the Shared Services Agreement between the Carlstadt Sewerage Authority and the Borough of Carlstadt as reviewed by the Mayor and Borough Attorney.

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

Councilman Stoltz asked the Mayor to explain the agreement. The Mayor asked Joseph Crifasi, DPW Operations Manager to elaborate. The agreement includes landscaping services as well as the cleaning of sewer lines.

Councilman Stoltz informed the Mayor and Council that he had asked former Mayor Lahuiller to approach the Carlstadt Sewerage Authority about the possibility of a Shared Services Agreement.

The Borough Attorney, Joseph Donahue informed the Mayor and Council that the term of the Agreement starts from 5/6/2020 and renews annually.

Mayor Zimmermann reminded the Council that a Library Board appointment is still needed. The Mayor asked for any recommendations. None were made at the time.

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CORRESPONDENCE

Mayor Zimmermann entertained a motion to approve the annual \$500.00 Becton High School Student Scholarship.

On motion by DeBiase, seconded by Fonseca. Councilman Lenoy abstained. Unanimous on call of roll of those present.

MISCELLANEOUS AND NEW BUSINESS - None.

Mayor Zimmermann said he would like to ask around to see if the Council had anything to bring up and discuss.

COUNCILWOMAN SUZANNE FONSECA

She had nothing to discuss at this time.

COUNCILMAN WILLIAM ROSEMAN - Not present at the time.

COUNCILMAN JAMES LENOY

He asked Joseph Crifasi to review the Tuesday, July 7th Primary Elections due to the extension of the Governor's Executive Order for social distancing.

Per his explanation, the County Election Boards will inform the Municipal Clerks about the voting procedures. Most likely it may be mail-in voting due to the COVID-19 Pandemic.

Also, Councilman Lenoy wanted to address the other student scholarship that the Borough gives to the Carlstadt Public School graduate.

Joseph Crifasi explained that it is for the 8th Grade graduation buffet. Claire Foy, the Clerk, explained that the Borough receives a letter from the school. Councilwoman DeBiase said that the letter was not mailed out as yet due to the COVID-19 Pandemic.

COUNCILWOMAN DIANE DEBIASE

She wanted to know if a decision was made about the Summer Recreation Programs.

Councilman Emerson explained that due to the COVID-19 Pandemic restrictions, the Summer Recreation Programs will be cancelled. Any exceptions for the Clerk's office can be discussed and determined. Little League has also been cancelled for the season.

A letter has to be sent to the residents informing them that the Summer Recreation Programs and the Department of Public Works Summer Employment Program are cancelled. Joseph Crifasi will prepare the letter.

COUNCILMAN JAMES LENOY

He inquired if there was an official notice informing the residents that the Annual Memorial Day Parade is cancelled.

Mayor Zimmermann requested that an official notice be sent out. Joseph Crifasi will also prepare the notice.

COUNCILMAN JOSEPH EMERSON

He wanted to confirm that the Annual School Picnic was also cancelled.

Joseph Crifasi went through a list of summer events to be cancelled and/or postponed starting with the Annual Memorial Day Parade and the public Memorial Day Service. He will prepare a notice/letter to be sent to the residents listing the events and informing them of the changes. The Mayor reminded him to cancel the Summer Series Concerts.

Dennis Kronyak also informed the Mayor and Council that the Fire Departments' Bar-B-Que and their events are cancelled.

Councilman Roseman joined the meeting telephonically at 4:35 P.M. He asked if all events and programs throughout the summer starting in May are cancelled. He was advised, yes.

Joseph Crifasi suggested that if the Center for Disease Control and the Federal Government makes any significant improvements to social distancing at the end of June or the summer, the Borough may be able to have one or two concerts as a form of celebration to uplift the spirits of the residents.

Councilman Emerson and Mayor Zimmermann also mentioned that the Junior Police Academy is cancelled.

Councilman Roseman suggested maybe that some concerts can be held during the summer if some social distancing regulations are relaxed.

Councilman Emerson also suggested reviewing the time-table of fall events and possibly utilizing social distancing regulations in the Community Center and school facilities.

Mayor Zimmermann said that it is hard right now to predict the guidelines for the fall events and programs which will be discussed at future meetings.

COUNCILMAN WILLIAM ROSEMAN

He wanted to know what is the status of work at the former Ganes Chemical site.

Joseph Crifasi informed him that the house was demolished and the land has to be leveled. He will speak to Neglia Engineering regarding phases to any further work and also speak to the Borough's Chief Financial Officer regarding the balance of the budgeted funds.

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Gregory Polyniak suggested that a wall can be built and a field of grass can be planted.

Councilman Roseman wanted to know if the Council will be going into Closed Session.

Mayor Zimmermann explained that a separate dial-in number and access code would have to be issued only for Mayor, Council and as needed professionals to access the call.

Councilman Roseman suggested the use of Zoom (an internet application) for Closed Session meetings. He also feels it's important for the Borough to display a level of continuity for planned projects for a feeling of normalcy.

BOROUGH ATTORNEY

Joseph Donahue, the Borough Attorney discussed the status of the Econo Lodge housing of persons from St. Mary's Hospital. He was not able to get much information from the State regarding the continued use of the Econo Lodge. However, he did speak to the co-owner of the Econo Lodge who wants to appeal the Borough's fines and/or negotiate a reduction. The co-owner explained that the persons were not homeless but they fell within a government category which allowed the Econo Lodge to receive State aid and the housing has a sixty-day window to expire at the end of May.

David Corrigan, Esq., labor counsel responded to the Borough attorney regarding the Borough's Personnel Manual with some comments.

The Balcony's Developer's Agreement (491 Broad Street) has become an active issue again. Robert Regan, Special Master contacted the Borough Attorney in order to move forward with development.

COUNCILMAN DAVID STOLTZ

He is working on coordinating the Recycling Committee Calendar Program with the Carlstadt Public School.

He also stated that revenues are important to be considered when continuing the Borough projects. Joseph Crifasi informed the Mayor and Council that tax revenue collection has been close to normal collection for the tax period and spending is currently reduced.

Councilman Emerson commended the Borough employees for their work and efficiency during this time.

ASSISTANT FIRE CHIEF DENNIS KRONYAK

He wanted to know if the Fire Department should proceed with purchasing new gear.

Joseph Crifasi explained that the 2020 Budget needs to be passed by the Mayor and Council and then approved by the State in July. If finances allow, any purchases would be made in August or September.

Councilman Roseman asked about any financial assistance to the municipality due to the COVID-19 Pandemic. Joseph Crifasi explained that the Borough will be reimbursed funds from FEMA but any additional aid from the Federal Government and State may go to private businesses.

HEARING OF CITIZENS

Mayor Zimmermann entertained a motion to open the floor to a hearing of citizens. On motion by Roseman, seconded by Fonseca, unanimous on call of roll.

Mayor Zimmermann asked if any citizens were 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 Roseman, unanimous on call of roll.

Mayor Zimmermann entertained a motion to adjourn the meeting at 5:02 P.M. On motion by Emerson, seconded by Roseman, unanimous on call of roll.

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK