

**CAUCUS/FINANCE MEETING**

**February 5, 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, February 5, 2020 at 7:02 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.

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 Zimmerman said at this time he would like to suspend the normal order of business and invite everyone to go into the Council Chambers with Diane’s family to swear in our newest member Diane DeBiase. On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

After the swearing in, the regular order of business continued in the Caucus Room and Robert Ceberio of RCM Ceberio LLC gave his monthly report which is on file in the office of the Borough Clerk. It was mentioned that KDC Solar wants to have a ribbon cutting the week of Earth Day which is April 22, 2020.

Assistant Fire Chief Dennis Kronyak, Jr. attended along with two other chiefs and reported on the grant for the fill station and gear sets for the firemen.

**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.

**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, 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.

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**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 8:00 P.M. On motion by Emerson, seconded Lenoy, unanimous on call of roll of those present.

The meeting went back into open session at 8:08 P.M. with the following members in attendance: Mayor Zimmermann, Council members Lenoy, Emerson, Roseman, Fonseca and DeBiase.

**CONSENT AGENDA**

**RESOLUTION NO. 2020-49**

**WHEREAS**, the Borough of Carlstadt operates a street sweeper Monday, Tuesday, Thursday and Saturday to clean the Borough's streets; and

**WHEREAS**, the Borough of Wallington has a need for street cleaning services however lacks the equipment to conduct those operations; and

**WHEREAS**, the Borough of Wallington and the Borough of Carlstadt believe that their citizens and communities would be best served financially and operationally through the continuation of the shared services agreement for street sweeping services; and

**WHEREAS**, the continuation of the shared services agreement would not detract from servicing the needs of Carlstadt's citizens due the street sweeper being operated in Wallington on days it is not scheduled for operation; and

**WHEREAS**, the Borough of Carlstadt's need for the use of the street sweeper will supersede any scheduled operation in Wallington; and

**WHEREAS**, the continuation of the shared services agreement with Wallington initiated in 2016 would provide continued revenue for the Borough of Carlstadt.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, approve the continuation of the shared services agreement entered into in 2016 pursuant to NJSA40A:65-5 with the Borough of Wallington to continue to provide street sweeper services at the rate of \$360.00 per day for the year 2020.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect and be in force from and after the earliest date allowed by law.

**RESOLUTION NO. 2020-50**

**WHEREAS**, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for the renewal of two (2) limousine licenses; 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 two (2) limousine licenses at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved for Vin #05611 and #09013 nunc pro tunc.

**AND, BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized and directed to issue the renewal of the two (2) limousine licenses at the above referenced location for the period of one year, commencing January 21, 2020 and ending on January 21, 2021 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. 2020-51**

**RESOLUTION REQUESTING THE NEW JERSEY SPORTS AND EXPOSITION  
AUTHORITY TO PLACE BLOCK 84 LOT 2 ALSO KNOWN AS 651 TWELFTH  
STREET, CARLSTADT, NEW JERSEY INTO, THE PATERSON PLANK ROAD  
REDEVELOPMENT PLAN**

**WHEREAS**, the Borough of Carlstadt and Russo Development Corporation have commenced discussions regarding the development of Block 84 Lot 2 known as the Henkel property; and

**WHEREAS**, Russo Development Corporation is desirous of developing this site for a warehouse/distribution facility which is similar to the land uses within the Paterson Plank Road Redevelopment Area; and

**WHEREAS**, the Borough of Carlstadt is in support of this project; and

**WHEREAS**, Block 84 Lot 2 meets all the criteria to declare the property an area in need of redevelopment under the regulation and statute of the NJSEA; and

**WHEREAS**, the Borough of Carlstadt and Russo Development have commenced discussions regarding a Payment in Lieu of Taxes (PILOT) which would require the site to be in a redevelopment need; and

**WHEREAS**, both the Borough of Carlstadt and Russo Development support the inclusion of this property in the Paterson Plank Road Redevelopment Area.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough of Carlstadt, that the governing body hereby requests that the New Jersey Sports & Exposition Authority commence the process of including Block 84 Lot 2 into the Paterson Plank Road Redevelopment Area.

**RESOLUTION NO. 2020-52**

**RESOLUTION REQUESTING THE APPROVAL OF THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO DEFER SCHOOL TAXES**

**WHEREAS**, the local district school tax levy for the 2019-2020 school year is \$12,559,214 and the regional high school tax levy is \$7,230,632.

**BE IT RESOLVED**, that the Borough of Carlstadt does hereby request the consent of the Director of the Division of Local Government Services in the Department of Community Affairs to defer \$6,279,607 and \$3,615,316 not in excess of 50% of 2019-2020 levy.

**RESOLUTION NO. 2020-53**

**WHEREAS**, in accordance with the Recycling Enhancement Act (REA)P.L. 2008, Chapter 6, beginning 2012 each New Jersey municipality is required to submit an Annual Recycling Tonnage Report to the New Jersey Department of Environmental Protection (NJDEP) signed by a Certified Recycling Professional (CRP) on or before April 30<sup>th</sup> of each year; and

**WHEREAS**, as part of the BCUA's Certified Recycling Professional Tonnage Grant Assistance Program, the BCUA will provide the services of a CRP to sign and submit the Annual Recycling Tonnage Report to the NJDEP at no cost to a Municipality.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough Carlstadt does hereby approve the BCUA Service Agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to sign said agreement.

**RESOLUTION NO. 2020-54**

**WHEREAS**, Thomas James Cox, Sr., 601 Sixth Street, Carlstadt, New Jersey, has 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.

**NOW, THEREFORE BE IT RESOLVED**, that the said be and he is hereby reappointed to the office of Constable for a term of three (3) years commencing on April 19, 2020.

**BE IT FURTHER RESOLVED** that the said person herein reappointed to the office of Constable, before he enters upon his execution of his office, shall give bond to the inhabitants of the Borough of Carlstadt in the sum of Two Thousand Five Hundred (\$2,500.00) Dollars, an amount deemed sufficient by the Governing Body of the said Borough of Carlstadt with a corporate surety authorized to do business in the State of New Jersey; the said bond shall be conditioned upon the faithful performance of his duties as Constable and shall remain in force during the term of office for which the said person was elected, and the bond shall be recorded and filed in the office of the Borough Clerk; and

**BE IT FURTHER RESOLVED**, that upon the failure of said person to deliver said bond to the Borough Clerk within thirty (30) days after the commencement of his term of office as stated herein, his office shall be deemed vacant.

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

**CONSIDERATION OF ORDINANCES  
FINAL READING**

**ORDINANCE NO. 20-1**

**BOND ORDINANCE TO AUTHORIZE THE FUNDING OF THE BOROUGH'S CONTRIBUTION TO THE IMPROVEMENT OF RIGGINS FIELD BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$250,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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

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

Mayor Zimmermann asked if anyone would like to be heard on this ordinance.

Mayor Zimmermann said to let the record note there are no citizens here to speak on this ordinance.

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

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

**RESOLUTION NO. 2020-55**

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

**BOND ORDINANCE TO AUTHORIZE THE FUNDING OF THE BOROUGH'S CONTRIBUTION TO THE IMPROVEMENT OF RIGGINS FIELD BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$250,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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

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

**FIRST READING**

**ORDINANCE NO. 20-2**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Mayor and Council of the Borough of Carlstadt in the County of Bergen finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Mayor and Council hereby determines that a 1% increase in the budget for said year, amounting to \$181,782 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$636,236, and that the CY 2020 municipal budget for the Borough be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**RESOLUTION NO. 2020-56**

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

**BOROUGH OF CARLSTADT  
CALENDAR YEAR 2020**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 19<sup>th</sup> day of February, 2020 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 Emerson, seconded by Lenoy, unanimous on call of roll of those present.

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Mayor Zimmermann said we have two resignations from the Library Board. Mary French responded that she is not going to be able to take on the responsibilities of joining the board at this time. Also Arlene Zierold said she was not interested in being reappointed to the Library Board when her term expired on December 31, 2019. Dyan Moore who is the library’s regular user has expressed an interest in joining the Library Board.

Mayor Zimmermann entertained a motion to appoint Dyan Moore to the Library Board for the expired term of Arlene Zierold to 12/31/24.

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

**RESOLUTION NO. 2020-57**

**RESOLUTION APPOINTING MEMBERS TO THE  
CARLSTADAT SEWERAGE AUTHORITY**

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, hereby confirms the following appointments to the Carlstadt Sewerage Authority:

	<u>Term</u>
Thomas Maloney	2/1/2018 – 1/31/2023
Thomas (Buddy) Davis	2/1/2017 – 1/31/2022
Vincent DeSimone	2/1/2016 – 1/31/2021
Craig Lahullier	2/1/2020 – 1/31/2025
Scott Judge	2/1/2019 – 1/31/2024

**AND, BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized and directed to forward a copy of this Resolution to the Carlstadt Sewerage Authority.

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

**CORRESPONDENCE**

Mayor Zimmermann mentioned a letter was sent to Hernan Lopez, OEM Coordinator, from Rodyn Sanchez, Aide to Freeholder Germaine Ortiz, Bergen County Board of Freeholders for NJ Census 2020. This letter is for our town to apply for a census grant. Claire Foy, Borough Clerk said they also need a place to meet to train census takers personnel and Hernan Lopez offered Sun Chemical.

Correspondence was received from Robert Moore, Fire Official stating he has selected the winners for the 2019-2020 Fire Safety Poster Contest. He would like to make a presentation to the winners at the March 18, 2020 Council Meeting.

Mayor Zimmermann said we received a letter from the First Presbyterian Church asking for our assistance in removing four small tree stumps located at the church manse at 489 Division Avenue. They recently had several trees cut down as a result of their instability.

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

Mayor Zimmermann said we received correspondence from Chief Thomas Berta, Carlstadt Police Department. This is to institute the new crossing guard posts at 7<sup>th</sup> Street and Hoboken Road.

Two crossing guards will be moved from stand-by guards to part-time guards. They are Michael Bongiovanni for the A.M. post and Ralph Latesta for the P.M. post. This post is for students going to Becton High School. Becton school schedule is different from Carlstadt Public School. They will start on February 10, 2020. Chief Berta is asking that the two guards work the post together until February 28, 2020. He is asking for our approval on this.

Correspondence was received from Sharon Dunn, President of the Carlstadt Volunteer Ambulance Corps. requesting the Mayor and Council hire one Emergency Medical Technician. There was a lengthy discussion on this matter.

Joseph Crifasi, DPW Operations Manager, requested a motion to have two lights approved at Washington Avenue and Kero Road, pole numbers 60949 and 61852 due to the need for increased lighting in that area.

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

**COUNCILWOMAN SUZANNE FONSECA**

She brought up sample ordinances regarding elimination of the use of plastic bags for the Borough Attorney to review and to draft an ordinance for the Mayor and Council to consider adopting.

**COUNCILMAN WILLIAM ROSEMAN**

He had something to discuss in closed session.

**COUNCILMAN JAMES LENOY**

He had nothing to discuss at this time.

**COUNCILWOMAN DIANE DEBIASE**

She had nothing to discuss at this time.

**COUNCILMAN JOSEPH EMERSON**

He reported on his meeting with the Senior Friendship Club and that the crossing guard handbook will be revised.

**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.

**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, 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 9:35 P.M. On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

The meeting went back into open session at 11:12 P.M. with the following members in attendance: Mayor Zimmermann, Council members Lenoy, Emerson, Roseman, Fonseca and DeBiase.

Mayor Zimmermann entertained a motion to adjourn the meeting at 11:12 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