

CAUCUS/COUNCIL MEETING
July 15, 2020

A RESCHEDULED CAUCUS/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 15, 2020 at 4:36 P.M

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

Joseph Donahue, Borough Attorney was also present.

Councilman David Stoltz led all present in the Pledge of Allegiance to the Flag.

Councilman David Stoltz – 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.

Councilman David Stoltz read the following rescheduled meeting notice which was posted on the Borough's website and published in The Record on July 13, 2020.

BOROUGH OF CARLSTADT RESCHEDULED MEETING NOTICE

The time for the July 15, 2020 Caucus/Council Meeting of the Mayor and Council of the Borough of Carlstadt has been changed from 7:00 P.M. to 4:30 P.M. and will be held in the Borough Hall Council Chambers, 500 Madison Street, Carlstadt, NJ 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 may participate by dialing 425-436-6300 with an access code 592364.

READING OF MINUTES:

Councilman Stoltz entertained a motion to accept the Open and Closed Session minutes of 7/1/2020 Caucus/Finance Meeting.

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

CORRESPONDENCE:

Councilman Stoltz informed the Council that a letter of resignation was received from the Board of Health and will be filed.

CONSENT AGENDA

**RESOLUTION 2020-144
RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED 683-685 BROAD REALTY LLC V. BOROUGH OF CARLSTADT
AT 75 TRIANGLE BLVD., BLOCK 125, LOT 2 HM
FOR TAX YEARS 2018 THROUGH 2020.**

WHEREAS, 683-685 Broad Realty LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 75 Triangle Blvd. and identified on the Borough's tax maps as Block 125, Lot 2 HM for tax years 2018 through 2020; and

WHEREAS, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

WHEREAS, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2018 to remain unchanged.
- 2) The assessment for tax year 2019 to be reduced from \$2,690,200 to \$2,500,000.
- 3) The assessment for tax year 2020 to be reduced from \$2,793,400 to \$2,250,000.

RESOLUTION 2020-145

BE IT RESOLVED, that the following payments made by the Chief Financial Officer from Valley Bank during the month of June, 2020 be ratified:

<u>Date</u>	<u>Ck#</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
6/22/20	502172	Current	Medical Benefits	\$100,000.00
6/22/20	502173	Current	Verizon	199.99
6/22/20	502174	Current	Comcast	48.78
6/22/20	502175	Current	Suez Water NJ	658.48
6/23/20	502176	Current	Comcast	41.24
6/23/20	502177	Current	Lowe's	230.44
6/23/20	502178	Current	Rothschild Realty	10,057.33
6/26/20	502179	Current	Medical Benefits	84,000.00
6/26/20	502180	Current	HR Direct	192.92
6/26/20	502181	Current	Verizon	129.99
6/26/20	502182	Current	Comcast	536.84
6/26/20	502183	Current	Marlin Leasing	915.36
6/26/20	502184	Current	FedEx	250.11
6/26/20	502185	Current	PSE&G	88.63
6/26/20	502186	Current	Robert Healey	217.39

RESOLUTION 2020-146

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	\$ 1,046,392.83
Regional Board of Education	580,786.75
South Bergen Municipal Joint Insurance Fund 3 rd Quarter FY 2020	146,085.00
The Depository Trust Company Interest on Bond 7/15/20	19,937.50
The Depository Trust Company Pay Down of BAN 7/24/20 Interest on BAN 7/24/20	976,028.00 307,301.10

RESOLUTION 2020-147

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Howard & Jenk, LLC for property located at 15 Triangle Boulevard, Carlstadt, New Jersey for Block 125 Lot 6 as per Docket No. 006573-2020 dated 5/13/2020 reducing the 2020 property tax assessment from \$5,286,600.00 to \$5,086,600.00; and

WHEREAS, the reduction in the 2020 property tax assessment is \$200,000.00 or \$3,670.00 in 2020 property tax; and

WHEREAS, the Borough of Carlstadt has not received approval of a final 2020 tax rate from the State of New Jersey or the County of Bergen and this Refund Resolution is calculated on the 2019 tax rate so there may be a difference of +/- when the final 2020 property tax bills are issued.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$3,670.00 and the Tax Collector shall adjust his books accordingly. (2020: \$3,670.00).

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: Jennifer R. Jacobus, Trustee for Howard & Jenk LLC and shall be mailed to: Jacobus & Associates, LLC, 201 Littleton Road, 1st Floor, Morris Plains, NJ 07950.

RESOLUTION 2020-148

WHEREAS, three (3) applications have been filed requesting renewal of Plenary Retail Consumption Licenses; and

WHEREAS, two (2) applications have been filed requesting renewal of Plenary Retail Distribution Licenses; and

WHEREAS, the regular fee of one thousand seventy-four dollars (\$1,074.00) has been submitted with each application in accordance with the Borough Ordinance governing the same; and

WHEREAS, one (1) application has been filed requesting renewal of a Hotel/Motel Exception License together with the fee of one thousand seventy-four dollars (\$1,074.00) in accordance with the Borough Ordinance governing the same.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, that the three (3) applications for renewal of Plenary Retail Consumption Licenses, the two (2) applications for Plenary Retail Distribution Licenses, the one (1) application for renewal of the Hotel/Motel Exception License are hereby approved. All licenses when granted, will be effective on the First Day of July, 2020 and expire on the Thirtieth Day of June 2021; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to issue the following licenses for Plenary Retail Consumption, Plenary Retail Distribution, Hotel/Motel Exception License.

PLENARY RETAIL CONSUMPTION

0205-33-006-005	Wil-Dam Corp.	295 Hoboken Road
0205-33-021-005	Four Brothers Food and Beverage II LLC	320 Route #17 South
0205-33-024-005	Merwind Inc.	710 Fifth Street Carlstadt, NJ 07072 (Mailing Address)

PLENARY RETAIL DISTRIBUTION

0205-44-005-007	Dawd Rizk H.	287 Broad Street
0205-44-019-007	Amrutha, LLC	675 Paterson Avenue

HOTEL/MOTEL EXCEPTION

0205-36-030-001	Calandra Enterprises Inc.	304 Paterson Plank Road.
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All licenses are issued subject to any special conditions now existing or hereafter imposed by the A.B.C. or the Borough of Carlstadt. All renewals where fees have been paid by uncertified check are subject to said check being cleared for payment on or before June 30, 2020.

Councilman Stoltz entertained a motion to approve the Consent Agenda.
On motion by DeBiase, seconded by Emerson, unanimous on call of roll.

READING OF BILLS:

RESOLUTION 2020-149

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the following bills having been approved by the Finance Committee are approved herewith for payment:

CAPITAL ACCOUNT

Neglia Engineering Associates	\$ 1,044.25
DTS Trucking Inc.	47,067.66
Watch Guard	5,940.00
Caravella Demolition	55,370.00
Beyer Ford	284,769.70
GTBM	2,557.82
Motorola Solutions	7,518.90

TRUST ACCOUNT

Neglia Engineering Associates	866.50
Kipp & Allen LLP	54.00
Treasurer State of NJ	2,870.00
Treasurer State of NJ	125.00

DOG WARDEN TRUST

NJ Dept. of Health and Senior Services	40.20
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CURRENT ACCOUNT

AGGRESSIVE ENERGY LLC	4,062.22
AHOLD FINANCIAL SERVICES	3,400.42
A&K EQUIPMENT CO.	235.12
AMERICAN PAPER & SUPPLY	470.22
A.N.D. SERVICE	7,658.78
ARROW ELEVATOR INC.	216.00
ATLANTIC COAST FIBERS	2,443.80
BELLAVIA	1,096.81
BELLAQUA INC.	279.50
BERGEN MUNICIPAL EMPLOYEE	16,776.00
BERGEN CO. UTILITIES AUTHORITY	196,528.00
BERGEN COUNTY DEPT. HEALTH	20.00
BEYER BROTHERS CORP.	1,997.18
BILL O'SHEA'S	106.95
GARDEN STATE BOBCAT	670.05
CARLSTADT BOARD OF EDUCATION	1,046,392.83

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CARLSTADT/E. RUTHERFORD	4,500.00
CHASEN, LAMPARELLO, MALLON	9,058.05
CHEEMA OIL CORPORATION	194.78
CHEM-TEC	75.00
CLAIRE FOY	45.00
CLEAN AIR COMPANY	1,932.00
CLIFFSIDE BODY CORP	2,202.42
CLN SIGN	1,490.00
COLANERI BROTHERS	819.99
COMPLETE SAW & GARDEN EQUIP.	192.00
CONTINENTAL FIRE AND SAFETY	2,367.72
CUMMINS SALES & SERVICE	1,404.22
DELUXE SALES & SERVICE	14,219.48
DENISE OEHLMANN	135.00
DIRECT ENERGY BUSINESS	211.84
DRAGER, INC.	179.00
ENVIRONMENTAL RENEWAL L.L.C.	1,725.00
EXPERT SEWER & DRAIN LLC	200.00
THE CHOI LAW GROUP LLC	3,531.25
FEDEX	268.54
FIRE & SAFETY SERVICES	284.51
FRANK'S GMC	4,871.93
GARBRIELLI KENWORTH	233.96
GRAINGER	167.67
HEALTH AWARENESS REG. PR	3,151.00
HOMETOWN AUTO PARTS	337.44
HUDSON TIRE EXCHANGE	397.60
I.D.A.	10.00
ID SIGNS	898.00
IKEN MEDIA	136.67
IMPRESSIVE PRINTING	1,249.65
INTERGLOBE COMMUNICATIONS INC.	2.20
INTERNATIONAL ASSOCIATION OF	145.00
INTERSTATE WASTE SERVICES INC.	22,685.13
JEM INDUSTRIAL SERVICES INC.	1,637.67
JENNIFER R. JACOBUS	3,670.00
JERSEY MAIL SYSTEMS LLC	408.95
J. KEANE ELECTRIC COMPANY	349.10
JOSEPH R. DONAHUE LLC	5,579.16
KIPP & ALLEN L.L.P.	343.50
LEXISNEXIS RISK SOLUTIONS	84.50
MATERA'S NURSERY	1,063.50
MCNERNEY & ASSOCIATE	5,000.00

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MEADOWLANDS HARDWARE	470.49
METRO FIRE & SAFETY EQUIP	147.00
MGL PRINTING SOLUTIONS	1,513.00
MSI TECHNOLOGIES LLC	2,425.00
NASSOR ELECTRICAL SUPPLY	78.11
NATURE'S CHOICE CORP.	950.00
NATIONAL WATER MAIN	2,614.50
NATIONWIDE CHEMICAL PRODUCTS	3,273.12
NEGLIA ENGINEERING ASSOCIATES	4,508.90
NICK'S TOWING SERVICE	937.13
NJ DIV. OF ALCOHOLIC BEV. CONT	66.00
NJ FIRE EQUIPMENT CO.	4,890.83
PAC TOOL & SUPPLY CO.	170.00
PASQUALE & DELEASA LLC	275.00
PAYROLL ACCOUNT	740.32
PRESTI, ROSARIO JR., ESQ.	518.33
RCM CEBERIO LLC	3,000.00
REDICARE LLC	166.53
REGAL STAMP CO.	72.00
REGIONAL BOARD OF EDUCATION	580,786.75
REMINGTON AND VERNICK	328.00
RICCIARDI BROTHERS	164.97
RIDGEHURST AUTO PARTS	1,039.31
RIEDEL SIGN CO., INC.	1,365.00
ROBERT T. REGAN ESQ.	2,229.75
SHERWIN WILLIAMS, INC.	1,719.72
SLOMIENSKI, WALTER M.	1,066.66
SO. BER. MUNC. JT. INS. FD	146,085.00
QUALITY AUTO MALL	2,247.85
STAPLES ADVANTAGE	4,794.59
SUNNY COMMUNICATIONS INC.	587.00
SUPREME SECURITY SYSTEM	372.50
SWINTEC	44.75
CHILDREN AID & FAMILY SERVICE	495.00
THE TERRE CO.	240.00
T&R ALARM SYSTEMS INC.	840.00
TRANSUNION RISK & ALTERNATIVE	50.00
TRAFFIC SAFETY & EQUIPMENT	585.94
TREASURER, STATE OF NJ	2,000.00
TROPICANA HOTEL & CASINO	244.00
UNUM LIFE INS. CO. OF AMERICA	413.95
USCOMPUTECH	100.00
ADPP ENTERPRISES INC.	518.02

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VERIZON	821.94
V.E. RALPH & SON	97.14
VERIZON BUSINESS	45.32
921-PRAXAIR DIST MID-ATLANTIC	188.19
WILLIAM DERMODY PUBLIC LIBRARY	33,000.00
WILDCAT HOOP CLUB	450.00
WILDSCO PES	550.00
WTH TECHNOLOGY INC	1,000.00
Y-PERS INC.	1,145.57
NJ E-ZPASS	57.20
VERIZON	62.79
VERIZON	1,834.59
MCI COMM SERVICE	618.30
RADZINSKI WILLIAM	552.89
PAYROLL ACCOUNT	18,223.84
PAYROLL ACCOUNT	332,038.33
VERIZON	993.76
MEDICAL BENEFITS ACCT	87,000.00
THE BANCORP	5,051.76
PSE&G	1,657.50
SUEZ WATER NEW JERSEY	83.44
VERIZON	204.38
VERIZON	886.32
SUEZ WATER NEW JERSEY	10,653.44
MEDICAL BENEFITS ACCT	22,000.00
PAYROLL ACCOUNT	307,670.78
PAYROLL ACCOUNT	17,361.71

TOTAL \$2,999,196.52

TOTAL BILLS FOR THE MONTH \$3,407,420.55

The Chief Financial Officer certified there are sufficient funds available for payment of the afore mentioned bills.

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

HEARING OF CITIZENS:

Due to technical difficulties and in an effort for expediency, the hearing of citizens proceeded without motions.

Michael Cugini, 97 Carlyle Court – he wanted to update and inform the Mayor and Council that the Carlstadt Soccer League received final guidelines from the South Bergen Soccer League for the upcoming season. Masks will be required for all participants on the sidelines. Enforcement

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will be determined dependent on State Health guidelines/requirements. A Special Police Officer may be utilized to enforce the use of masks. The Borough has to consider the following guidelines to enforce: concession stands closed, bathrooms closed and bleachers or benches not to be used. The Mayor and Council will need to consider the guidelines that they will follow for games played in the Borough. The start of the soccer season will be sometime in September. Councilman Emerson informed Mr. Cugini that if school opening is delayed within the Borough, recreational sports will also be delayed. The Soccer League will also not have a tournament format for this upcoming season due to the volume of spectators and players that normally attend. The information was sent in writing to Councilman Emerson which he will pass on to the Mayor and other Council members for consideration. Soccer season will proceed based on feedback from municipalities, parents, etc. Then decisions will be made regarding registration and equipment, etc.

CONSIDERATION OF ORDINANCES:

ORDINANCE NO. 20-3

Councilman Stoltz entertained a motion to table Ordinance 20-3, the salary ordinance, due to ongoing circumstances (COVID-19 Pandemic.)

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

SPECIAL REPORTS

There were none.

MISCELLANEOUS & NEW BUSINESS

None.

BOROUGH ATTORNEY JOSEPH DONAHUE

The personnel manual has been sent to the David Corrigan, Esq., the Borough's Labor Counsel for review. He will review his comments with Councilman Emerson. The Municipal Excess Liability Fund also generated an update and it was forwarded to Mr. Corrigan for his review also.

Councilman Emerson thanked all for their input in updating the manual.

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.

Councilman Stoltz entertained a motion to go into closed session at 5:12 P.M. On motion by Emerson, seconded by Fonseca, unanimous on call of roll.

Councilman Stoltz entertained a motion to go back to open session at 7:01 P.M. On motion by Emerson, seconded by Roseman, unanimous on call of roll.

Councilman Stoltz entertained a motion to adjourn the meeting at 7:02 P.M. On motion by Fonseca, seconded by DeBiase, unanimous on call of roll.

APPROVED: _____
COUNCILMAN DAVID STOLTZ

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK