

**FINANCE MEETING  
September 15 2016**

**A REGULAR SCHEDULED 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 Thursday, September 15, 2016 at 7:00 P.M.

Council President David Stoltz asked Claire Foy, Borough Clerk to call the roll: Councilmen Robert Zimmermann, David Stoltz, Richard Bartlett, James Lenoy, and William Shockley were present. Councilman Joseph Emerson arrived at 7:20 P.M. and Mayor Craig Lahullier was absent.

Council President Stoltz led all present in the Pledge of Allegiance to the Flag.

Council President 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, 2016 and the Herald News on January 6, 2016 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.

**CONSENT AGENDA  
RESOLUTION NO. 2016-285**

**WHEREAS**, the Bergen County Aggregate Energy Procurement Cooperative Pricing System (hereinafter referred to as #206BCPS) will from time to time during the Effective Period as defined below solicit bids for natural gas and/or electricity supply service through an energy aggregation program in which the County of Bergen will act as Lead Agency of the #206BCPS in accordance with the “Local Public Contracts Law,” N.J.S.A.40A:11-11, and the Electric Discount and Energy Competition Act, N.J.S.A. 48:3-49. (“EDECA”) and the regulations promulgated thereunder; and

**WHEREAS**, the Borough of Carlstadt wishes to join the #206BCPS to become a Participating Member, and become eligible thereby to obtain natural gas and/or electricity supply services for its own use through one or more contracts to be awarded to natural gas or electricity suppliers following said bids for natural gas or electricity supply services pursuant to the aggregation program; and

**WHEREAS**, the County of Bergen as the Lead Agency for the #206BCPS, will from time to time during the Effective Period (from date of adoption until the expiration of the Cooperative Pricing system, hereinafter referred to as “Effective Period”) issue one or more Requests for Bids for natural gas or electricity supply services on behalf of the #206BCPS pursuant to the Local Public Contracts Law and EDECA; and

**WHEREAS**, by joining the #206BCPS, Borough of Carlstadt agrees to purchase all natural gas and/or electricity needed for its own use during the Effective Period through any electricity or natural gas supplier(s) awarded a contract, unless it opts in or out prior to the beginning of a new

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supply contract in accordance with the terms of the Cooperative Pricing Agreement annexed hereto, it being understood that the Lead Agency shall be responsible for compliance with the provisions of Local Public Contracts Law; and

**WHEREAS**, due to significant volatility and the potential for price increases in the electricity generation and wholesale natural gas market, Participating Members will preauthorize the Lead Agency to award contracts for electricity supply and/or Natural Gas Service in each bid group to one or more natural gas or electricity suppliers that submit bids which are reasonably forecasted to provide a pre-determined estimated savings to the Participating Member based upon its previous natural gas usage and utility-provided Basic Generation Service rates; and

**WHEREAS**, the Lead Agency will only award contracts for said natural gas or electricity services to natural gas or electricity suppliers that submit bids with pricing that is at least 5% lower than the average price for utility-provided basic generation service; and

**WHEREAS**, the Lead Agency will notify the Department of Community Affairs' Division of Local Government Services by mail prior to the issuance a Request for Bids for natural gas or electricity supply services, with the understanding that if the Division of Local Government Services does not respond within 10 business days, it will be deemed to have approved the issuance of the Request for Bids or the Request for Rebids; and

**WHEREAS**, earlier this year, the #206BCPS carried out a procurement for electricity supply service, resulting in 2-year fixed rate for those members of the #206BCPS that opted to participate; and

**WHEREAS**, the #206BCPS has begun a new procurement for natural gas supply service; and

**WHEREAS**, by adopting this resolution, the Borough of Carlstadt agrees to join the #206BCPS; and

**WHEREAS**, by adopting this resolution, the Borough of Carlstadt elects to **opt in** to the current procurement for natural gas supply service; and

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Borough of Carlstadt, New Jersey, that:

1. The annexed Cooperative Pricing System Agreement is hereby authorized and approved, and the Mayor, of the Borough of Carlstadt is authorized to execute same.
2. The Borough of Carlstadt hereby **opts in** to the current procurement for natural gas supply, and binds itself to the #206BCPS to purchase all natural gas needed for its own use during

the Effective Period from the natural gas supplier or suppliers awarded a contract for natural gas supply services by the Lead Agency.

3. The Lead Agency of the #206BCPS is hereby authorized to award one or more contracts, and execute one or more a master performance agreements that obligates the Borough of Carlstadt to purchase natural gas at the terms and conditions stated therein with a third-party supplier or suppliers who have been awarded the contract or contracts by the Lead Agency on behalf of the participating members of the #206BCPS (or any CPS number to be assigned in the future), provided further that all such contracts shall be at prices reasonably forecast and estimated by the Lead Agency to provide savings to the Borough of Carlstadt of at least five percent (5%) relative to the price charged for basic generation service by the public utility company that would otherwise provide such service.
4. #206BCPS is authorized to continue to bid to obtain natural gas supply services at any time during the Effective Period, including - for example - a rebid if energy market conditions do not initially lead to a successful bid, on additional dates to be determined by the Lead Agency; and
5. This Resolution shall take effect immediately upon passage.
6. The authorization provided to the County of Bergen pursuant to the Local Public Contracts Laws (N.J.S.A. 40A:11-11(5), Administrative Code (N.J.A.C. 5:34-7.1) shall be valid until the Cooperative Pricing System expires. Any rescission or expiration of this resolution shall not affect any Agreements entered into prior to such rescission or expiration.

**RESOLUTION NO. 2016-286**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that the Woman's Club of Carlstadt, Inc. be granted permission to hold a raffle as per their application at the First Presbyterian Church, 457 Division Avenue, Carlstadt, New Jersey for which the application and fee shall be forwarded to the Legalized Games of Chance Control Commission.

**RESOLUTION NO. 2016-287**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED PLANK PAT RLTY C/O RD MGT. CORP. V. BOROUGH OF CARLSTADT  
AT 675 PATERSON AVENUE, BLOCK 2, LOT 7  
FOR TAX YEARS 2013 THROUGH 2016.**

**WHEREAS**, Plank Pat Rlty c/o RD Mgt. Corp. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 675 Paterson Avenue and identified on the Borough's tax maps as Block 2, Lot 7 for tax years 2013 through 2016; and

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**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 2013 to be reduced from \$ 17,534,000 to \$ 17,000,000.
- 2) The assessment for tax year 2014 to be reduced from \$ 17,534,000 to \$ 17,250,000.
- 3) The assessment for tax year 2015 to be reduced from \$ 17,534,000 to \$ 17,250,000.
- 4) The assessment for tax year 2016 to be reduced from \$ 17,534,000 to \$ 16,500,000.

**RESOLUTION NO. 2016-288**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED JANARD MANAGEMENT SERV. V. BOROUGH OF CARLSTADT AT 765 ROUTE 17, BLOCK 82, LOT 1 FOR TAX YEARS 2013 THROUGH 2016.**

**WHEREAS**, Janard Management Serv. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 765 Route 17 and identified on the Borough's tax maps as Block 82, Lot 1 for tax years 2013 through 2016; 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 2013 to be reduced from \$ 1,300,100 to \$ 1,000,000.
- 2) The assessment for tax year 2014 to be reduced from \$ 1,300,100 to \$ 1,100,000.
- 3) The assessment for tax year 2015 to be reduced from \$ 1,300,100 to \$ 1,100,000.
- 4) The assessment for tax year 2016 to be reduced from \$ 1,300,100 to \$ 1,100,000.

**RESOLUTION NO. 2016-289**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED RUSSO MEADOWLANDS PARK, LLC V. BOROUGH OF CARLSTADT  
AT 651 TWELFTH STREET, BLOCK 84, LOTS 2 AND 6  
FOR TAX YEARS 2013 THROUGH 2016.**

**WHEREAS**, Russo Meadowlands Park, LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 651 Twelfth Street and identified on the Borough's tax maps as Block 84, Lots 2 and 6 for tax years 2013 through 2016; 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 2014 to be reduced from \$ 3,706,200 to \$ 2,500,000.
- 2) The assessment for tax year 2015 to be reduced from \$ 3,706,200 to \$ 2,200,000.
- 3) The assessment for tax year 2016 to be reduced from \$ 3,706,200 to \$ 1,800,000.
- 4) The appeal for tax year 2013 to be withdrawn by plaintiff.

**RESOLUTION NO. 2016-290**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED THE CHARLES H. WEIR FAMILY TRUST V. BOROUGH OF CARLSTADT AT 316 TWELFTH STREET, BLOCK 108, LOT 4 FOR TAX YEARS 2014 THROUGH 2016.**

**WHEREAS**, The Charles H. Weir Family Trust has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 316 Twelfth Street and identified on the Borough's tax maps as Block 108, Lot 4 for tax years 2014 through 2016; 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 2014 to be reduced from \$ 2,833,600 to \$ 2,350,000.
- 2) The assessment for tax year 2015 to be reduced from \$ 2,833,600 to \$ 2,300,000..
- 3) The assessment for tax year 2016 to be reduced from \$ 2,833,600 to \$ 2,150,000.

**RESOLUTION NO. 2016-291**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED I & G DIRECT REAL ESTATE, 32A, LP V. BOROUGH OF CARLSTADT  
AT 425 GOTHAM PARKWAY, BLOCK 124, LOT 48  
FOR TAX YEARS 2013 AND 2014.**

**WHEREAS**, I & G Direct Real Estate, 32A, LP has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 425 Gotham Parkway and identified on the Borough's tax maps as Block 124, Lot 48 for tax years 2013 and 2014; 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

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**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 2013 to be reduced from \$ 8,886,400 to \$ 7,555,000.
- 2) The assessment for tax year 2014 to be reduced from \$ 8,886,400 to \$ 7,955,000.

**RESOLUTION NO. 2016-292**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED I & G DIRECT REAL ESTATE, 32, LP V. BOROUGH OF CARLSTADT  
AT 325 GOTHAM PARKWAY, BLOCK 124, LOT 49  
FOR TAX YEARS 2013 AND 2014.**

**WHEREAS**, I & G Direct Real Estate, 32, LP has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 325 Gotham Parkway and identified on the Borough's tax maps as Block 124, Lot 49 for tax years 2013 and 2014; 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 2013 to be reduced from \$ 1,540,400 to \$ 1,440,000.
- 2) The assessment for tax year 2014 to be reduced from \$ 1,540,400 to \$ 1,500,000.

**RESOLUTION NO. 2016-293**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED I & G DIRECT REAL ESTATE, 32B, LP V. BOROUGH OF CARLSTADT  
AT 521 GOTHAM PARKWAY, BLOCK 126, LOT 1  
FOR TAX YEARS 2013 AND 2014.**

**WHEREAS**, I & G Direct Real Estate, 32B, LP has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 521 Gotham Parkway and identified on the Borough's tax maps as Block 126, Lot 1 for tax years 2013 and 2014; 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 2013 to be reduced from \$ 2,718,600 to \$ 2,565,000.
- 2) The assessment for tax year 2014 to remain unchanged.

**RESOLUTON NO. 2016-294**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED I & G DIRECT REAL ESTATE, 32F, LP V. BOROUGH OF CARLSTADT  
AT 320 VETERANS BOULEVARD, BLOCK 126, LOT 3  
FOR TAX YEARS 2013 AND 2014.**

**WHEREAS**, I & G Direct Real Estate, 32F, LP has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 320 Veterans Boulevard and identified on the Borough's tax maps as Block 126, Lot 3 for tax years 2013 and 2014; 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 2013 to be reduced from \$ 1,298,300 to \$ 1,140,000.
- 2) The assessment for tax year 2014 to be reduced from \$ 1,298,300 to \$ 1,140,000.

**RESOLUTION NO. 2016-295**  
**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL**  
**ENTITLED I & G DIRECT REAL ESTATE, 32D, LP V. BOROUGH OF CARLSTADT**  
**AT 193 VETERANS BOULEVARD, BLOCK 126, LOTS 4 AND 5**  
**FOR TAX YEARS 2013 AND 2014.**

**WHEREAS**, I & G Direct Real Estate, 32D, LP has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 193 Veterans Boulevard and identified on the Borough's tax maps as Block 126, Lots 4 and 5 for tax years 2013 and 2014; 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 Block 126 Lot 4 for all tax years to remain unchanged.
- 2) The assessment for Block 126 Lot 5 for tax year 2013 to be reduced from \$ 2,250,000 to \$ 1,930,900.
- 3) The assessment for Block 126 Lot 5 for tax year 2014 to be reduced from \$ 2,250,000 to \$ 2,030,900.

**RESOLUTION NO. 2016-296**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL**  
**ENTITLED LION REALTY LLC V. BOROUGH OF CARLSTADT**  
**AT 140 KERO ROAD, BLOCK 126, LOT 31**  
**FOR TAX YEARS 2013 THROUGH 2015.**

**WHEREAS**, Lion 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 140 Kero Road and identified on the Borough's tax maps as Block 126, Lot 31 for tax years 2013 through 2015; 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 2013 to be reduced from \$ 6,465,200 to \$ 5,850,000.
- 2) The assessment for tax year 2014 to be reduced from \$ 6,465,200 to \$ 6,250,000.
- 3) The assessment for tax year 2015 to remain unchanged.

**RESOLUTION NO. 2016-297**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED I & G DIRECT REAL ESTATE, 32C, LP V. BOROUGH OF CARLSTADT  
AT 599 GOTHAM PARKWAY, BLOCK 126, LOT 64  
FOR TAX YEARS 2013 AND 2014.**

**WHEREAS**, I & G Direct Real Estate, 32C, LP has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 599

Gotham Parkway and identified on the Borough's tax maps as Block 126, Lot 64 for tax years 2013 and 2014; 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 2013 to be reduced from \$ 5,250,000 to \$ 4,900,000.
- 2) The assessment for tax year 2014 to remain unchanged.

**RESOLUTION NO. 2016-298**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED TEANECK REALTY INC V. BOROUGH OF CARLSTADT  
AT 197 WASHINGTON AVENUE, BLOCK 128, LOTS 43 AND 44  
FOR TAX YEARS 2013 THROUGH 2016.**

**WHEREAS**, Teaneck Realty Inc. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 197 Washington Avenue and identified on the Borough's tax maps as Block 128, Lots 43 and 44 for tax years 2013 through 2016; and

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**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 Block 128 Lot 43 to be reduced from \$ 1,204,800 to \$ 966,900 for all tax years.
- 2) The assessment for Block 128 Lot 44 to remain unchanged for all tax years.

**RESOLUTION NO. 2016-299**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED DITOBARBI/AVENUE A CARLSTADT V. BOROUGH OF CARLSTADT  
AT BLOCK 129, LOT 9 & BLOCK 130, LOT 4  
FOR TAX YEARS 2013 THROUGH 2016.**

**WHEREAS**, Ditobarbi/Avenue A Carlstadt has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against properties located at A Street and Washington Avenue and identified on the Borough's tax maps as Block 129, Lot 9 and Block 130, Lot 4, respectively, for tax years 2013 through 2016; 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:

The combined assessment for all tax years to be reduced from \$ 1,573,900 to \$ 1,400,000.

**RESOLUTION NO. 2016-300**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED J.I.M. PARTNERS C/O SPECTRA REALTY V. BOROUGH OF CARLSTADT AT 11 EMPIRE BLVD., BLOCK 131.01, LOT 8 FOR TAX YEARS 2010, 2011 AND 2013 THROUGH 2016.**

**WHEREAS**, J.I.M. Partners c/o Spectra Realty has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 11 Empire Blvd. and identified on the Borough's tax maps as Block 131.01, Lot 8 for tax years 2010, 2011 and 2013 through 2016; 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

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**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 2010 to be reduced from \$ 600,000 to \$ 376,300.
- 2) The assessment for tax year 2011 to be reduced from \$ 600,000 to \$ 385,000.
- 3) The assessment for tax year 2013 & 2014 to be reduced from \$ 1,100,000 to \$ 937,500.
- 4) The assessment for tax year 2015 to be reduced from \$ 1,100,000 to \$ 920,000.
- 5) The assessment for tax year 2016 to be reduced from \$ 1,100,000 to \$ 856,000.

**RESOLUTION NO. 2016-301**

**WHEREAS**, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for five (5) additional limousine licenses; 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 five (5) additional limousines for vin # 77597, #78042, #68092, #76384 and #28405 at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved.

**AND, BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized and directed to issue the licenses to operate five (5) additional limousines at the above referenced location for the period of one year, commencing September 16, 2016 and ending on September 16, 2017 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. 2016-301-A**

**WHEREAS**, the Borough of Carlstadt is in need of professional engineering services with regard to the surveying, engineering, including design, plans, specifications and permitting, bidding and award, and construction management Services for the sports lighting and 50 x 70 foot field improvements at Lindbergh Field consisting of four sports lights; and

**WHEREAS**, Neglia Engineering Associates has submitted a proposal dated September 6, 2016 to provide professional engineering services to provide such survey and professional engineering services in the amount of \$35,340.00 and construction management services in the amount of \$25,975.00 for a total cost of \$61,315.00; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, that:

1. The Neglia Engineering Associates, 34 Park Avenue, P.O. Box 426, Lyndhurst, New Jersey 07071, be and hereby is authorized to proceed with the surveying and engineering services, including design, plans, specifications and permitting, bidding and award, for the Lindbergh Field sports lighting and field improvements and to provide construction management services consistent with the proposal dated September 6, 2016.
2. The Mayor and Borough Clerk are hereby authorized to execute the necessary contract with Neglia Engineering Associates, 34 Park Avenue, P.O. Box 426, Lyndhurst, New Jersey 07071 for the professional engineering services.
3. The contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.
4. The Borough Clerk is hereby directed to publish notice of this action once in the official newspaper of the Borough of Carlstadt and maintain a copy of the agreement for public inspection.

Certification as to the availability of funds:

The CFO/Treasurer hereby certifies that sufficient funds are available to pay for professional engineering fees in an amount not to exceed \$61,315.00 in accordance with the terms of the aforementioned contract.

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

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Council President Stoltz said we need to approve a Special Police Officer for the Jr. Wildcats home games for 9/10/16, 9/27/16, 10/15/16 and 10/29/16 for 3:00 P.M. All games start at 4:00 P.M.

On motion by Zimmermann, seconded by Shockley, unanimous on call of roll of those present.

Council President Stoltz asked for Council approval for a dish garden for the family of Victor Tamaro for the passing of his wife.

On motion by Bartlett, seconded by Shockley, unanimous on call of roll of those present.

### **COUNCILMAN RICHARD BARTLETT**

He would like to know if we have any extra money to buy twenty pagers for the Fire Department. The present pagers that we have, the company no longer services them because there is a newer model. They are looking to get twenty pagers at approximately \$600.00 each.

The Nam Knights are looking, as through Kenny Schwarz, to bring garbage over to the DPW on 9/25/16 and 10/1/16. On 9/25/16 they have a poker run at their clubhouse on Michele Place and their chili cook off on 10/1/16. They don't need a garbage truck. Kenny will bring it over in his truck. Councilman Bartlett made a motion to approve this for the dates of 9/25/16 and 10/1/16, seconded by Zimmermann, unanimous on call of roll of those present.

Engine 3 is asking if we can find another place for the R model which is the 1971 Mack. Perhaps we have room in the Borough garage.

The Board of Officers is asking about the generator for Engine 3 Firehouse. Right now if the power goes out, there is no way to power up that building. They are wondering if somewhere money can be found. Something we have to look at for next year's budget is funding for the Fire Department. It is like a physical but it really is a form that gets filled out so they can be cleared to wear an air pack. We did this about fifteen years ago and it should have been done since but it fell through the cracks someplace. It's being looked into at a couple of places to get prices to be included into next year's budget.

### **COUNCILMAN WILLIAM SHOCKLEY**

He had nothing to discuss at this time.

### **COUNCILMAN JAMES LENOY**

He noticed that two corners are missing the handicapped pads. He wants to put Do Not Enter on the one-way street signs by the Carlstadt Public School.

### **COUNCILMAN ROBERT ZIMMERMANN**

He had nothing to discuss at this time.

**COUNCILMAN DAVID STOLTZ**

He had nothing to discuss at this time but he thought Sunday was a great event with our service for the 9/11 ceremony.

Council President Stoltz went over the correspondence that was received.

Council President Stoltz entertained a motion to go into closed session at 7:20 P.M. to discuss personnel and property. On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll.

On motion by Zimmermann, seconded by Bartlett the meeting went back into open session at 8:15 P.M. with the following members in attendance: Councilmen Zimmermann, Stoltz, Bartlett, Lenoy, Emerson and Shockley.

Council President Stoltz entertained a motion to adjourn the meeting at 8:15 P.M. On motion by Zimmermann, seconded by Emerson, the meeting was unanimously adjourned.

APPROVED: \_\_\_\_\_  
DAVID STOLTZ, COUNCIL PRESIDENT

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