

REGULAR MEETING
February 16, 2016

A REGULAR SCHEDULED 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 Tuesday, February 16, 2016 at 7:05 P.M.

Mayor Craig Lahullier asked Claire Foy, Borough Clerk to call the roll: Councilmen David Stoltz, Richard Bartlett, and Joseph Emerson were present. Councilman James Lenoy arrived at 8:15 P.M. and Councilmen Robert Zimmermann and William Shockley were absent.

Mayor Lahullier led all present in the Pledge of Allegiance to the Flag.

Mayor Lahullier – 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.

Mayor Lahullier entertained a motion to change the regular order of business to present two plaques to two individuals from the Carlstadt Fire Department who are retiring after many years of service to the community and the department.

On motion by Bartlett, second by Stoltz, unanimous on call of roll of those present.

Mayor Lahullier called upon Steve Sass, Sr. and Gino Popejoy to present them with the plaques along with Councilmen Stoltz and Bartlett.

Mayor Lahullier thanked them for their outstanding service to the community and asked the Councilmen to say few words. Councilmen Bartlett, Stoltz and Emerson thanked them for their service to the department and our great community and wished them well on their retirement.

Mayor Lahullier entertained a motion to return to the normal order of business.

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

READING OF MINUTES:

Mayor Lahullier entertained a motion to accept the minutes of 12/3/15 Caucus Meeting, 12/21/15 Council Meeting, 12/30/15 Special Meeting, 1/8/16 Caucus Meeting and 1/8/16 Special Meeting (Open and Closed Sessions). On motion by Stoltz, seconded by Emerson, unanimous on call of roll of those present.

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CORRESPONDENCE:

None to be read.

REPORT OF THE MAYOR:

None.

SPECIAL REPORTS:

The Construction Official's report was read for the month of January. This report will be filed.
The Borough Clerk's report was read for the month of January. This report will be filed.
The Tax Collector's report was read for the month of January. This report will be filed.

STANDING COMMITTEES:

FINANCE – Councilman Emerson said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2016-68

WHEREAS, the Board of Officers has approved the membership of David M. Stoltz as a probationary member of the Carlstadt Fire Department; and

WHEREAS, said individual has successfully passed the required physical examination.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that David M. Stoltz is hereby appointed as a probationary member to the Carlstadt Fire Department.

RESOLUTION NO. 2016-69

BERGEN COUNTY LAW ENFORCEMENT MUTUAL AID RESOLUTION

WHEREAS, the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order; and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies; and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A: 9-40.6; and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property; and

WHEREAS, it is also recognized that the Borough of Carlstadt Chief of Police, in accordance with the provisions of N.J.S.A. 40A:14-118 and under the authority of the Bergen County Prosecutor, has the authority to assign officers to a Task Force, Rapid Deployment Team, or Regional SWAT Team operated in conjunction with the Bergen County Prosecutor's Office, and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Carlstadt to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the police Department of the Borough of Carlstadt, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

BE IT FURTHER RESOLVED that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.

Mayor Lahullier entertained a motion to approve the two Consent Agenda resolutions presented due to the lack of votes needed to approve expenditures. On motion by Bartlett, seconded by Emerson, unanimous on call of roll of those present.

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POLICE – Mayor Lahullier read his report for the month on January. This report will be filed.

FIRE/AMBULANCE - Councilman Bartlett read his reports for the month of January. These reports will be filed.

PUBLIC WORKS/PROPERTY – Councilman Stoltz read his report for the month of January. This report will be filed.

PLANNING – In the absence of Councilman Shockley, Councilman Stoltz said no report at this time.

ZONING – In the absence of Councilman Shockley, Councilman Stoltz read the report for the month of January. This report will be filed.

STREET LIGHTING – Councilman Emerson read his report for the month of January. This report will be filed.

HEALTH – Councilman Bartlett read his report for the month of January. This report will be filed.

RECREATION – Councilman Emerson read his report for the month of January. This report will be filed.

BOROUGH EQUIPMENT – In the absence of Councilman Zimmermann, Councilman Emerson reported progress.

RECYCLING – Councilman Stoltz read his report for the month of January. This report will be filed.

PROJECTS – In the absence of Councilman Zimmermann, Councilman Bartlett read the report for the month of January. This report will be filed.

REPORTS OF SPECIAL COMMITTEES:

There were no reports of special committees.

UNFINISHED BUSINESS:

None.

HEARING OF CITIZENS:

Donald Molzon, 530 Madison Street – mentioned to the Mayor and Council the possibility of creating a parking lot on the municipal land site because the amount of cars and people coming to court and doing business in the Borough Hall is greater than years past so he would like to ask the Mayor and Council to consider the project. Joseph Crifasi, Borough Operations Manager, asked the Mayor and Council's permission to have Neglia Engineering do a survey on the municipal land to see how many spots will be suitable around the property.

**CONSIDERATION OF ORDINANCES:
FIRST READING**

ORDINANCE NO. 16-3

**AN ORDINANCE AMENDING SCHEDULE XIV OF SECTION 10-8 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002 ENTITLED
“BUS STOPS”**

WHEREAS, N.J.S.A. 39-4-8(e) states the Governing Body has the authority to set the location of bus stops in and for the Borough of Carlstadt; and

WIHEREAS, New Jersey Transit has recommended changes to the current placement of bus stop signs to reflect current passenger activity; and

WHEREAS, the County of Bergen will be responsible for any road improvements in connection with these bus stops; and

WHEREAS, in accordance with the request of New Jersey Transit, the Mayor and Council of the Borough of Carlstadt, approves the establishment of new bus stops and deletion of current as per recommendation of New Jersey Transit.

NOW, THEREFORE BE IT ORDAINED that the Mayor and Council of the Borough of Carlstadt hereby revise Schedule XIV of Section 10-8 entitled “Bus Stops” of the Revised General Ordinances of the Borough of Carlstadt 2002, be and hereby is amended and supplemented with the following:

SCHEDULE XIV
BUS STOPS

The following locations are now designated to be ADDED as bus stops:

County Road

1. Along Washington Avenue (County Road 503), northbound on the easterly side thereof at:

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- a. Road A - (Far Side)
Beginning at the prolongation of the northerly curbline of Road A and extending 100 feet northerly therefrom.
 - b. Jomike Court - (near side)
Beginning at the southerly curbline of Jomike Court and extending 105 feet southerly therefrom.
 - c. Barell Avenue - (far-side)
Beginning at the northerly curbline of Barell Avenue and extending 100 feet northerly therefrom.
 - d. Between Kero Road and Barell Avenue - (mid-block)
Beginning 117 feet south of the prolongation of the southerly curbline of Kero Road and extending 135 feet southerly therefrom (at Kilroy's driveway)
 - e. Between Commerce Boulevard and Empire Boulevard - (mid-block)
Beginning 147 feet north of the northerly curbline of Commerce Boulevard and extending 135 feet southerly therefrom.
 - f. Empire Boulevard - (near-side)
Beginning at the southerly curbline of Empire Boulevard and extending 105 feet southerly therefrom.
2. Along Washington Avenue (County Road 503), southbound on the westerly side thereof at:
- a. Between Moonachie Avenue and Commerce Road - (mid-block)
Beginning 534 feet south of the southerly curbline of Moonachie Avenue and extending 135 feet southerly therefrom.
 - b. Commerce Road - (near-side)
Beginning at the northerly curbline of Commerce Road and extending 105 feet northerly therefrom.
 - c. Between Kero Road and Barell Avenue - (mid-block)
Beginning 198 feet south of the southerly curbline of Kero Road and extending 135 feet southerly therefrom.
 - d. Barell Avenue - (near-side)
Beginning at the prolongation of the northerly curbline of Barell Avenue and extending 105 feet northerly therefrom.

- e. Veterans Boulevard – (far-side)
Beginning at the southerly curbline of Veterans Boulevard and extending 100 feet southerly therefrom.
- f. Road A - (near-side)
Beginning at the northerly curbline of Road A and extending 105 feet northerly therefrom (at address 330).

The following locations are now designated to be **DELETED** as bus stops:

County road

- 3. Along Washington Avenue (County Road 503), northbound on the easterly side thereof at:
 - a. Paterson Plank Road – (far-side)
Beginning at the northerly curbline of Paterson Plank Road and extending 100 feet northerly therefrom.
 - b. Between Kero Road and Barell Avenue - (mid-block)
Beginning 225 feet south of the southerly curbline of Kero Road and extending 135 feet southerly therefrom (near Kilroy's).
- 4. Along Washington Avenue (County Road 503), southbound on the westerly side thereof at:
 - a. Between Moonachie Avenue and Commerce Road - (mid-block)
Beginning 100 feet south of the southerly curbline of Moonachie Avenue and extending 135 feet southerly therefrom (at address 850).
 - b. Kero Road – (far-side)
Beginning at the southerly curbline of Kero Road and extending 100 feet southerly therefrom (at Delta Service Station).
 - c. Paterson Plank Road – (near-side)
Beginning at the northerly curbline of Paterson Plank Road and extending 105 feet northerly therefrom (at Valero Service Station).

NOW, THEREFORE BE IT FURTHER ORDAINED that the Mayor and Council of the Borough of Carlstadt will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.

1. All other provisions of Chapter X, Section 10-8 and Schedule XIV shall remain in full force and effect.

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2. Repealer. All Ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

3. Severability. If any provisions of this Ordinance are found to be invalid for any reason, by the final judgment of a Court of competent jurisdiction, the invalidity of such portions shall not affect the remaining provisions of the Ordinance, which shall be severable therefrom.

4. Effective Date. This Ordinance shall take effect immediately upon passage and publication as required by law and upon approval of the Commission of Transportation

RESOLUTION NO. 2016-79

BE IT RESOLVED that the ordinance entitled:

**AN ORDINANCE AMENDING SCHEDULE XIV OF SECTION 10-8 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002 ENTITLED
“BUS STOPS”**

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 3rd day of March, 2016 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 Stoltz, seconded by Emerson, unanimous on call of roll of those present.

MISCELLANEOUS AND NEW BUSINESS:

Mayor Lahullier entertained a motion to approve two music permits for the American Legion and Gianna's Restaurant. On motion by Bartlett, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to go into closed session at 7:35 P.M. to discuss personnel and property. On motion by Stoltz, seconded by Emerson, the meeting unanimously went into closed session.

The meeting went back into open session at 8:20 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Stoltz, Bartlett, Lenoy and Emerson.

Mayor Lahullier entertained a motion to purchase 20 tables and 20 chairs for the Fire Department not to exceed \$3,300.00. On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to have one Special Police Officer at the Becton Regional High School for recreation wrestling matches on Sunday, February 21, 2016. On motion by Bartlett, seconded by Emerson, unanimous on call of roll of those present.

CONSENT AGENDA

RESOLUTION NO. 2016-60

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	\$	993,158.68
Regional Board of Education		528,487.67
Treasurer, State of New Jersey/1992 GT		4,764.22

RESOLUTION NO. 2016-61

WHEREAS, Title 40A:4-59 of the New Jersey Statutes provides that should it be necessary, during the first three months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill its purpose, the Governing Body may, by resolution adopt (by not less than 2/3 vote of the full membership thereof), transfer the amount of such excess of those appropriation reserves deemed to be insufficient.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough Carlstadt that the Borough Treasurer be and is hereby authorized to make the following transfer of the 2015 appropriation reserves:

	IN	OUT
Governing Body		
Salaries & Wages		\$6,609.44
Admin. & Exec.		
Other Expenses		2,137.59
Finance Department		
Salaries & Wages		2,722.65
Other Expenses	\$22,059.43	

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Tax Collector

Salaries & Wages	3,694.91
Other Expenses	329.95

Assessment

Salaries & Wages	179.50
Other Expenses	951.80

Legal Service

Other Expenses	17,783.33
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Planning Board

Salaries & Wages	1,549.96
Other Expenses	251.34

Zoning Board

Salaries & Wages	1,758.33
Other Expenses	82.87

Zoning Official

Salaries & Wages	5,077.16
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Construction Official

Salaries & Wages	1,549.58
Other Expenses	5,069.16

Other Insurance

Other Expenses	6,660.63
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Employee Group Ins.

Other Expenses	37,425.75
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Police Department

Other Expenses	998.22
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Special Police

Salaries & Wages	1,193.75
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Emergency Management

Salaries & Wages	900.00
Other Expenses	823.62

Fire Official

Salaries & Wages	1,492.49
Other Expenses	463.63

Street & Roads		
Salaries & Wages	22,535.07	
Other Expenses		9,821.23
Buildings & Grounds		
Salaries & Wages	28,065.65	
Other Expenses	6,500.00	
Borough Mechanic		
Salaries & Wages		3,378.75
Other Expenses	5,300.00	
Friendship Club		
Other Expenses		4,495.90
Recreation		
Salaries & Wages		1,220.93
Other Expenses		3,242.72
Utilities:		
Electricity		
Other Expenses		4,791.26
Street Lighting		
Other Expenses		630.07
Fire Hydrant		
Other Expenses		12,475.02
Telephones		
Other Expenses	<u>1,210.29</u>	
Gas		
Other Expenses		14,898.20
Gasoline		
Other Expenses		39,312.52
Municipal Court		
Salaries & Wages		<u>4,112.78</u>
TOTAL	\$141,877.74	\$141,877.74

RESOLUTION NO. 2016-62

BE IT RESOLVED by the Mayor and Council that the following payments made by the Chief Financial Officer from Valley National Bank during the month of January, 2016 be ratified:

<u>Date</u>	<u>Ck #</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
1/20/16	501053	Current	Lexis Nexis	\$ 227.00
1/20/16	501054	Current	Payroll	287,230.88
1/20/16	501055	Current	Medical	95,000.00
1/22/16	501056	Current	Valley Bank	253.75
1/22/16	501057	Current	Lowe's	874.62
1/25/16	501058	Current	ADPP Enter	1,168.21
1/27/16	501059	Current	Payroll	18,087.68
1/27/16	501060	Current	Medical	7,443.96
1/28/16	501061	Current	Medical	40,000.00

RESOLUTION NO. 2016-63

TAX IDENTIFICATION STATEMENT

WHEREAS, the Recycling Enhancement Act, P.L.2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2015 in the amount of \$8,389.92. Documentation supporting this submission is available at 500 Madison Street, Carlstadt, NJ 07072 and shall be maintained for no less than five years from this date.

RESOLUTION NO. 2016-64

WHEREAS, Robert W. Korsen, retired employee of the Carlstadt Department of Works has filed a request for reimbursement for the purchase of a Medicare supplement; and

WHEREAS, pursuant to the CDPWBA Contract Article XVII D 1. The amount of said reimbursement for the year 2016 is \$1,125.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Chief Financial Officer is hereby authorized to make payment in the amount of \$1,125.00 representing reimbursement for his Medicare supplement for the year 2016, pursuant to Article XVII D 1. of the Contract between the Borough of Carlstadt and the CDPWBA.

RESOLUTION NO. 2016-65

WHEREAS, Joseph Edone, Retired Police Sergeant has filed a request for reimbursement for Medicare Part B premiums on behalf of himself for the year 2015 consistent with the Carlstadt SOA Contract and the Carlstadt PBA Local #312 thereafter filing a formal grievance, and the matter having proceeded to Arbitration with a finding in favor of the Carlstadt PBA Local #312; and

WHEREAS, the Opinion and Award of the Public Employment Relations Commission, PERC Docket No. AR 2009-98 provides for a reimbursement to be made from the date of the Opinion and thereafter.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Chief Financial Officer is hereby authorized to make payment representing reimbursement to Joseph Edone for the year 2015 as set forth in the Opinion and Award in PERC Docket No. AR 2009-98, attached hereto, in the amount of \$1,258.80 as evidenced by the documents submitted as proof thereof. Subsequent payment for future reimbursements shall be made upon request and proof of deductions submitted by Joseph Edone.

RESOLUTION NO. 2016-66

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 & FINAL FOR THE BROAD STREET DRAINAGE IMPROVEMENTS (CDBG FUNDED)

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.

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TITLE OF JOB: Broad Street Drainage Improvements (CDBG Funded)

CONTRACTOR: 4 Clean Up, Inc., P.O. Box 5098, North Bergen, New Jersey 07047

NJDOT CHANGE ORDER No.: 1 & Final

AMOUNT OF CHANGE THIS RESOLUTION: (- \$18,895.70) Decrease: 15.62%

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

RESOLUTION NO. 2016-67

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the contract for **Broad Street Drainage Improvements (CDBG Funded)** was constructed by **4 Clean Up, Inc., P.O. Box 5098, North Bergen, NJ 07047**, in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The Contractor having supplied a 25% Guarantee Bond No. **CT021180M** for a period of two (2) years from **January 4, 2016**. The said construction is hereby accepted and final payment in the amount of **Twenty-Five Thousand Five Hundred Nine Dollars and Thirty-Three Cents. (\$25,509.33)** is hereby approved.

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

RESOLUTION NO. 2016-70

WHEREAS, the Governing Body had previously authorized the Borough Clerk to advertise for bids for the purchase of Equipment for Recreation Purposes for the year 2016; and

WHEREAS, a notice for bids was advertised and one bid was received on February 11, 2016 from Stan's Sport Center, Inc. 528 Washington Street, Hoboken, NJ 07030; and

WHEREAS, the bid received from Stan's Sport Center was a completely responsive bid in the total amount of \$55,642.30; and

WHEREAS, the Chief Financial Officer/Treasurer has determined that sufficient funds will be available in the 2016 Budget for Recreation in the amount of \$55,642.30 for purchases made under this contract.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that:

1. The Contract for Equipment for Recreation Purposes for the year 2016 be awarded to Stan's Sport Center, 528 Washington Street, Hoboken, N.J. 07030, for the amount of fifty five thousand, six hundred forty-two dollars and thirty cents. (\$55,642.30).
2. The Mayor and Clerk are hereby authorized to execute the necessary contract with Stan's Sport Center in an amount not to exceed \$55,642.30 in the form attached hereto.

Certification as to the availability of funds:

The Chief Financial Officer/Treasurer hereby certifies that sufficient funds will be available in the 2016 Recreation Budget to pay the amount of \$55,642.30 in accordance with the terms of the contract.

RESOLUTION NO. 2016-71

WHEREAS, the Carlstadt Governing Body approved Resolution Number 2016-35 a Tax Appeal for Block 123 Lot 27 for Amor SGE, LLC, in the amount of \$6,517.50; and

WHEREAS, the correct amount of the refund is \$6,217.50.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the original refund check is now void and a new refund check in the amount of \$6,217.50 is approved and the Tax Collector shall adjust his books accordingly.

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 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 the Tax Collector is authorized to prepare the Tax Refund Resolution.

RESOLUTION NO. 2016-72

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Tomu Development Corp. for property located at 200 Outwater Lane, Carlstadt, New Jersey, for Block 136 Lot 14 as per Docket No. 005869-2014 dated 2/20/2015 reducing the 2014 property tax assessment also included a Freeze Act year of 2015; and

WHEREAS, the Parties having agreed that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax year(s) 2015 (Freeze Act year(s)) the provisions of N.J.S.A. 54: 51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year; and

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WHEREAS, the Carlstadt Governing Body approved Resolution Number 2015-107 refunding the 2014 tax over payment at the April 20, 2015 Council Meeting.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize a refund of \$6,210.00 and the Tax Collector shall adjust his books accordingly. In addition the reduced assessment shall be carried forward to the 2016 preliminary quarter(s).

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 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 Dennis Ritchie, Esq., has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to: TOMU Development/J. Murphy and shall be mailed to: TOMU Development/C/o: J. Murphy, 24 Dockside Ln. # 39, Key Largo, FL 33037.

RESOLUTION NO. 2016-73

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of WA Realty Co., LLC, for property located at 620 Route 17, Carlstadt, New Jersey, for Block 86 Lot 13 as per Docket No. 001424-2013 dated 11/20/2015 reducing the 2013 property tax assessment from \$1,033,900.00 to \$735,000.00 and for the same Docket No. and date for Block 86 Lot 14 reducing the 2013 property tax assessment from \$192,900.00 to \$137,000.00 and for Block 86 Lot 13 as per Docket No. 001480-2014 dated 11/20/2015 reducing the 2014 property tax assessment from \$1,033,900.00 to \$735,000.00 and for the same Docket No. and date for Block 86 Lot 14 reducing the 2014 property tax assessment from \$192,900.00 to \$137,000.00 and as per Docket No. 005555-2015 dated 11/20/2015 for Block 86 Lot 13 reducing the 2015 property tax assessment from \$1,033,900.00 to \$735,000.00 and for the same Docket No. and date for Block 86 Lot 14 reducing the 2015 property tax assessment from \$192,900.00 to \$137,000.00; and

WHEREAS, the Carlstadt Governing Body approved Resolution Number 2015-237 refunding the tax over payment at the September 21, 2015 Council Meeting; and

WHEREAS, the reduction in property tax assessment for Block 86 Lot 13 in 2013 is \$298,900.00 or \$5,924.20 in 2013 property taxes and the reduction in 2014 property tax assessment is \$ 298,900.00 or \$5,951.10 in 2014 property taxes and the reduction in 2015 property tax assessment is \$298,900.00 or \$6,187.23 in 2015 property taxes; and

WHEREAS, the reduction in property tax assessment for Block 86 Lot 14 in 2013 is \$55,900.00 or \$1,107.94 in 2014 property taxes and the reduction in property tax assessment in 2014 is \$55,900.00 or \$1,112.97 in 2014 property taxes and the reduction in 2015 property tax assessment is \$55,900.00 or \$1,157.13 in 2015 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize a refund of \$21,440.57 (2013: \$7,032.14, 2014: \$7,064.07, 2015: \$7,344.36) and the Tax Collector shall adjust his books accordingly. In addition the reduced assessment shall be carried forward to the 2016 preliminary quarter(s).

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 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 Dennis Ritchie, Esq., has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to Lorraine Teleky-Petrella, Esq. and shall be mailed to: Lorraine Teleky-Petrella, Esq., Court Plaza North, 25 Main Street, Suite 206, Hackensack, New Jersey 07601.

RESOLUTION NO. 2016-74

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Gellis, J &D/APV Comm. for property located at 316 Monroe Street, Carlstadt, New Jersey, for Block 69 Lot 16 as per Docket No. 016192-2011 dated 12/31/2015 reducing the 2011 property tax assessment from \$355,800.00 to \$225,000.00 and as per Docket No. 010569-2015 dated 12/18/2015 reducing the 2015 property tax assessment from \$648,000.00 to \$500,000.00; and

WHEREAS, the Carlstadt Governing Body approved Resolution Number 2015-232 refunding the tax over payment at the September 21, 2015 Council Meeting; and

WHEREAS, the parties having agreed that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax year 2012 (Freeze Act year) the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year. No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year; and

WHEREAS, Docket No. 016192-2011 reduces the 2012 property tax assessment from \$355,800.00 to \$225,000.00 (Freeze Act year); and

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WHEREAS, the reduction of 2011 property tax assessment is \$130,000.00 or \$5,251.62 in 2011 property taxes and the reduction in 2012 property tax assessment is \$130,000.00 or \$5,421.66 in 2012 property taxes (Freeze Act year) and the reduction in 2015 property tax assessment is \$148,000.00 or \$3,063.60 in 2015 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize a refund of \$13,736.88 (2011: \$ 5,251.62, 2012: \$5,421.66, 2015: \$3,063.60) and Tax Collector shall adjust his books accordingly. In addition the reduced assessment shall be carried forward to the 2016 preliminary quarter(s).

It is noted that the Borough's Finance Officer has reviewed this Tax Appeal Settlement and certifies that the Tax 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 Dennis Ritchie, Esq., has reviewed this Resolution and finds it to be satisfactory and legal.

The refund shall be made payable to: Bertone Piccini LLP Attorney Trust Account and shall be mailed to: Bertone Piccini, LLP, 777 Terrace Avenue, Suite 201, Hasbrouck Heights, New Jersey 07604.

RESOLUTION NO. 2016-75

WHEREAS, the Borough of Carlstadt received payment from Lereta Corporation to redeem Tax Sale Certificate Number 15-00001 that was sold on August 28, 2015 for 591 Hoboken Road, Carlstadt, NJ, Block 24 Lot 18, in the amount of \$207.43.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Borough Treasurer will issue refund in the amount of \$207.43 for the Tax Sale Certificate Redemption and the Carlstadt Tax Collector will adjust his books accordingly.

The payment should be made payable to: U.S. Bank As Custodian For ActLien Holding and should be mailed to: U.S. Bank As Custodian For ActLien Holding, Attn.: Tax Lien Services Group, 2 Liberty Place, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102.

RESOLUTION NO. 2016-76

WHEREAS, the Borough of Carlstadt has applied for and been awarded a \$3.4 million grant by the New Jersey Economic Development Authority for Roadway Improvements and Storm Drains (EDA Project #40029); and

WHEREAS, the New Jersey Economic Development Authority required the Borough of Carlstadt to solicit Requests for Qualifications to identify a qualified Engineering firm to handle permitting, design, construction management and grant compliance; and

WHEREAS, the Borough of Carlstadt advertised an approved Request for Qualifications on January 15, 2016 and received four qualified responses by the deadline of January 28, 2016; and

WHEREAS, after a review of all RFQ responses according to established criteria a scoring committee of Borough officials selected Neglia Engineering of Lyndhurst, NJ as the most qualified firm; and

WHEREAS, the New Jersey Economic Development Authority and the Borough of Carlstadt require a comprehensive cost estimate for the services identified in EDA Project #40029.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, accepts the recommendation of Neglia Engineering as the qualified professional agency to manage EDA Project #40029 for the Borough of Carlstadt.

BE IT FURTHER RESOLVED that Neglia Engineering is requested to provide a comprehensive cost estimate for said project to the Borough of Carlstadt no later than February 26, 2016. Notice of this action shall be printed once in the official newspapers of the Borough of Carlstadt.

RESOLUTION NO. 2016-77

WHEREAS, the Carlstadt Governing Body approved Resolution Number 2016-33 on January 19, 2016 and since that time another tax appeal judgment has been received for 2015 increasing the amount of the refund; and

WHEREAS, the Attorney for the property owner has requested a new check for the full amount of the refund, so a new Resolution is called for and Resolution Number 2016-33 is rescinded; and

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 480 Gotham Parkway LLC, for property located at 480 Gotham Parkway, Carlstadt, New Jersey, 07072 for Block 123.01 Lot 14 as per Docket No. 007606-2012 dated 10/30/2015 reducing the 2012 property tax assessment from \$2,686,400.00 to \$1,900,000.00 and as per Docket No. 010032-2013 dated 10/30/2015 reducing the 2013 property tax assessment from \$5,478,300.00 to \$3,675,000.00 and as per Docket No. 008051-2014 dated 10/23/2015 reducing the 2014 property tax assessment from \$5,478,300.00 to \$3,675,000.00 and as per Docket No. 007783-2015 dated 9/30/2015 reducing the property tax assessment from \$5,478,300.00 to \$3,800,000.00; and

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WHEREAS, the Carlstadt Governing Body approved Resolution Number 2015-201 on August 17, 2015 authorizing the Tax Appeal Attorney to execute any and all documents necessary to settle this matter; and

WHEREAS, the reduction in 2012 property tax assessment is \$786,400.00 or \$32,596.28 in 2012 property taxes and the reduction in 2013 property tax assessment is \$1,803,300.00 or \$35,741.41 in 2013 property taxes and the reduction in 2014 property tax assessment is \$1,803,300.00 or \$35,903.70 in 2014 property taxes, and, the reduction in 2015 property tax assessment is \$1,678,300.00 or \$34,740.81 in 2015 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$138,982.20 (2012: \$32,596.28, 2013: \$35,741.41, 2014: \$35,903.70, 2015: \$34,740.81) and the Tax Collector shall adjust his books accordingly.

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, and the Carlstadt Borough Attorney has reviewed this Tax Appeal Settlement and Resolution and finds it to be authentic and genuine. 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 Tax Collector is authorized to prepare the tax appeal Resolution. It is also noted that there was not a Freeze Act year paragraph attached to any of the judgments.

The refund shall be made payable to "O'Brien Thornton, LLC as attorneys for 480 Gotham Parkway, LLC and shall be mailed to: O'Brien Thornton, LLC, 17 Arcadian Avenue, Suite 102, Paramus, New Jersey 07652.

RESOLUTION NO. 2016-78

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Council of the Borough of Carlstadt to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that Carlstadt hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Paul Ritchie to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Mayor Lahullier entertained a motion to approve the rest of the Consent Agenda. On motion by Bartlett, seconded by Emerson, unanimous on roll of call of those present.

READING OF BILLS:

RESOLUTION NO. 2016-80

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	\$	1,975.28
4 Clean Up, Inc.		28,519.37
Pasquale & DeLeasa		20,740.00
Downs Tree Service, Inc.		35,556.78
Trino Associates, LLC		6,300.00

TRUST ACCOUNT

Impressive Printing		793.90
Kimberly Koziel		45.00
Neglia Engineering Associates		825.00

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DOG WARDEN TRUST

TYCO Animal Control Services	766.66
NJ Department of Health & Senior Services	282.60

CURRENT ACCOUNT

O'BRIEN THORNTON ATTORNEYS	138,982.20
A&K EQUIPMENT CO.	2,180.43
ALL INDUSTRIAL-SAFETY PRODUCTS	455.80
AMERICAN HOSE & HYDRAULICS	4,776.05
AMERICAN PAPER & SUPPLY	32.75
AMERICAN WIRELESS INC.	747.48
AMOR SGE LLC	6,217.50
ANTHONY RANNE	45.00
ARAMARK UNIFORM SERVICES	971.54
ARROW ELEVATOR INC.	145.00
AVAYA INC.	1,442.73
AVS TECHNOLOGY	500.00
BCMCAA C/O D'ALESSANDRO	30.00
BCPWA	75.00
BELLAQUA INC.	75.00
BERTONE PICCINI LLP/TRUST ACCT	13,736.88
BERGEN COUNTY LEAGUE OF MUNICIPALITIES	150.00
BERGEN COUNTY FIRE PREVENTION	300.00
BERGEN COUNTY MUNICIPAL CLERKS ASSOCIATION	75.00
BERGEN COUNTY POLICE CHIEFS ASSOCIATION	350.00
BEVERLY FAIST	54.00
BRAEN STONE INDUSTRIES INC.	190.35
BRUCE'S FLORAL DESIGN	104.00
CARLSTADT GIRL SCOUTS	150.00
CARLSTADT AMBULANCE CORP.	90.95
CARLSTADT GIRLS SOFTBALL	2,000.00
CARLSTADT BOARD OF EDUCATION	993,158.68
CARLSTADT/EAST RUTHERFORD	100.00
CARLSTADT PTA	250.00
CENTER FOR OCCUPATIONAL MED.	1,169.00
CHEEMA OIL CORPORATION	3,138.07
CHEM-TEC	149.00
CHRISTOPHER GARVIN ESQ.	200.00
CLINICAL SERVICES MGMT PC	1,669.50
COBBLESTONE DELI	17.50
COLANERI BROTHERS	220.00
COMCAST	66.50

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COMCAST	41.59
CONTINENTAL FIRE AND SAFETY	704.18
CORNER TO CORNER	427.96
DAVID F. CORRIGAN	4,470.00
DENISE OEHLMANN	72.00
DMK APPAREL	783.00
DOWNES TREE SERVICE INC.	1,163.22
ENFORSYS FIRE SYSTEM INC. DBA	1,590.75
ERIKA LOPEZ	60.00
THE CHOI LAW GROUP LLC	8,593.83
F& E CHECK PROTECTOR SALES CO.	275.00
FIRE & SAFETY SERVICES	1,736.35
FOSTER AND COMPANY INC.	344.28
GARBARINI & CO.	22,100.00
GARDEN STATE HWY PRODUCTS	75.00
GFOA OF NEW JERSEY	90.00
THE GRAYCLIFF	15,700.00
G.T.B.M. INC.	1,574.62
HARRIS UNIFORMS	2,234.65
HEDIGER'S FUEL OIL INC.	2,780.55
HI-VIZ SAFETY WEAR LLC	2,166.50
HOMETOWN AUTO PARTS	1,473.31
HUDSON TIRE EXCHANGE	535.80
IAFC	234.00
IKEN MEDIA	233.10
IMPRESSIVE PRINTING	907.63
INDUSTRIAL ELECTRIC	7,694.00
INTERNATIONAL ASSOCIATION	150.00
INTERSTATE BATTERY SYSTEM	130.00
J&A COPIER	707.00
JESCO INC.	9,394.50
JOSEPH R. EDONE	1,258.80
LORRAINE TELEKY-PETRELLA, ESQ.	21,440.57
MARLIN LEASING CORP.	975.77
MEADOWLANDS DINER	275.39
MEADOWLANDS HARDWARE	578.02
MEADOWLANDS AREA YMCA	495.00
MERCHANTS ALARM SYSTEMS	90.00
METRO FIRE & SAFETY EQUIP.	740.00
METROPOLITAN CENTER FOR	450.00
MGL PRINTING SOLUTIONS	159.00
MID BERGEN REGIONAL COMMISSION	4,377.33

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MOMAR INC.	2,372.57
MSI TECHNOLOGIES LLC	690.00
GABRIELLI/KENWORTH OF	29.40
MUNICIPAL RECORD SERVICE	356.00
NARITA MARAJ LLC	2,046.00
NASSOR ELECTRICAL SUPPLY	57.60
NEGLIA ENGINEERING ASSOCIATES	1,295.00
NEW JERSEY MOTOR VEHICLE	150.00
NEXTEL COMMUNICATIONS	77.95
NICK'S TOWING SERVICE	700.00
NJ FIRE EQUIPMENT CO.	2,665.30
NORTH JERSEY MEDIA GROUP INC.	842.39
NORTHEAST SWEEPERS LLC	1,714.60
PASQUALE & DELEASA LLC	2,350.00
PASCACK VALLEY COMMUNICATIONS	600.00
PAT GRELLA	162.50
PAUL SAEZ	45.00
PAYROLL ACCOUNT	1,256.55
PINNACLE	3,875.25
POWERDMS INC.	3,840.00
PRESTI, ROSARIO JR., ESQ.	837.66
PROGRESSIVE BUSINESS PUBLICATION	299.00
PSE&G	27,213.54
REGAL STAMP CO	242.50
REMINGTON AND VERNICK	621.00
RIDGEHURST AUTO PARTS	1,200.49
RITCHIE, DENNIS	5,150.00
ROBERT T. REGAN ESQ.	488.40
ENER-G RUDOX INC.	503.78
SANITATION EQUIP. CORP.	52.92
SCHMIDT, FRANK	275.00
SHERWIN WILLIAMS, INC.	313.34
SIRCHIE FINGERPRINT LAB	314.95
SKYLAR MACKENZIE	60.00
SLOMIENSKI, WALTER. M	1,066.66
QUALITY AUTO MALL	132.88
STAPLES BUSINESS ADVANTAGE	4,648.06
SWIFT ELECTRICAL SUPPLY CO.	6,000.00
THE BANCORP	3,590.66
THE BADGE COMPANY OF NJ INC.	1,794.30
TMDE CALIBRATION LABS INC.	360.00
TOMU DEVELOPMENT/ J. MURPHY	6,210.00

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T&R ALARM SYSTEMS INC.	360.48
TRANSUNION RISK & ALTERNATIVE	25.00
TREASURER STATE OF NJ 1992 GT	4,764.22
UNITED WATER NEW JERSEY	11,322.14
UNUM LIFE INS. CO. OF AMERICA	1,680.66
UPS	7.05
U.S. BANK AS CUSTODIAN FOR	207.43
VAN DINES	79.04
VERIZON	4,854.02
VERIZON	134.99
V.E.RALPH & SON	505.75
VERIZON WIRELESS	1,509.49
VERIZON	169.99
VFIS	1,904.25
VISUAL COMPUTER SOLUTIONS	2,134.34
WALLINGTON PLUMBING SUPPLY INC.	289.45
WASTE MANAGEMENT OF NJ INC.	13,904.45
WAUSAU TILE	1,165.43
921-PRAXAIR DIST MID-ATLANTIC	131.22
WILFRED MAC DONALD INC.	1,002.73
ZACK APPEL	45.00
ZIEROLD, ARLENE	132.85
PAYROLL ACCOUNT	375,267.67
DANCE THEATRE WORKSHOP	5,000.00
MEDICAL BENEFITS ACCT	33,000.00
US POSTAL SERVICE	4,100.00
PAYROLL ACCOUNT	17,375.94
MEDICAL BENEFITS ACCT	<u>80,000.00</u>
TOTAL	\$ 1,940,873.65
 TOTAL BILLS FOR THE MONTH	 \$ 2,036,678.24

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

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

Mayor Lahullier entertained a motion to adjourn the meeting at 8:30 P.M. On motion by Stoltz, seconded by Emerson, unanimous on call of roll of those present.

APPROVED: _____
CRAIG LAHULLIER, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK