

REGULAR MEETING
February 17, 2015

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 17, 2015 at 7:12 P.M.

Mayor William Roseman asked Claire Foy, Borough Clerk to call the roll: Mayor Roseman, Councilmen Craig Lahullier, David Stoltz, Richard Bartlett and James Lenoy were present. Councilmen Robert Zimmermann and Joseph Emerson were absent.

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

Mayor Roseman – 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 7, 2015 and the Herald News on January 15, 2015 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 Roseman asked to change the regular order of business to make a presentation to firefighter Robert Korsen for his forty-six years of community service. On motion by Bartlett, seconded by Lahullier, unanimous on call of roll of those present. Mayor Roseman said a few words to the audience highlighting his outstanding community service and as well as a Borough employee with the Department of Public Works.

READING OF MINUTES:

Mayor Roseman entertained a motion to accept the minutes of 1/1/15 Adjourned Meeting, 1/1/15 Reorganization Meeting, 1/2/15 Caucus Meeting and 1/2/15 Special Meeting, 1/15/15 Finance Meeting and 1/20/15 Council Meeting (Open and Closed Sessions). On motion by Lahullier, seconded by Stoltz, Councilmen Lahullier, Stoltz and Bartlett voted yes. Councilman Lenoy abstained on 1/2/15 Caucus Meeting, 1/2/15 Special Meeting and 1/20/15 Council Meeting (Open and Closed Sessions) and voted yes on the other ones.

CORRESPONDENCE:

A letter was received from the Police Chief recommending to do a four way stop on Division Avenue and Eighth Street. Mayor Roseman said it has to be done by Ordinance and asked the Borough Attorney to contact the Police Chief for the details.

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.

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

STANDING COMMITTEES:

FINANCE – Councilman Lenoy said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2015-48

WHEREAS, Henry S. Cosgrove, retired employee of the Carlstadt Department of Public 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 2015 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 2015, pursuant to Article XVII D 1. of the Contract between the Borough of Carlstadt and the CDPWBA.

RESOLUTION NO. 2015-49

WHEREAS, Al Lilienthal, Retired Police Lieutenant has filed a request for reimbursement for Medicare Part B premiums on behalf of himself for the year 2014 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 Al Lilienthal for the year 2014 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.

RESOLUTION NO. 2015-50

WHEREAS, Peter Coletti, retired Police Captain has filed a request for reimbursement for Medicare Part B premiums on behalf of himself and his spouse for the year 2014 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 Peter Coletti and his spouse for the year 2014 in the amount of \$2,517.60 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 Peter Coletti.

RESOLUTION NO. 2015-51

WHEREAS, Joseph Edone, Retired Police Sergeant has filed a request for reimbursement for Medicare Part B premiums on behalf of himself for the year 2014 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 2014 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. 2015-52

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

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WHEREAS, pursuant to the CDPWBA Contract Article XVII D1 the amount of said reimbursement for the year 2015 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 2015, pursuant to Article XVII D 1. of the Contract between the Borough of Carlstadt and the CDPWBA.

RESOLUTION NO. 2015-53

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	\$	978,686.43
Regional Board of Education		514,970.23
Treasurer, State of New Jersey/1992 GT		4,764.22

RESOLUTION NO. 2015-54

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 2014 appropriation reserves:

	IN	OUT
Fire Dept.		
Other Expenses	\$ 3,744.00	
Audit Service		
Other Expenses	13,000.00	
Building & Grounds		
Salaries & Wages		\$ 5,212.30
Other Expenses	5,212.30	

Municipal Court		
Other Expenses	250.47	
Police Department		
Salaries & Wages		28,724.14
Other Expenses	7,000.00	
Legal Service		
Other Expenses	20,000.00	
Other Insurance		
Other Expenses		11,718.60
Water		
Other Expenses	2,200.00	
Construction Code Official		
Other Expenses	<u>32.70</u>	
SUI Contribution		
Other Expenses		<u>6,914.43</u>
TOTAL	\$51,569.47	\$51,569.47

RESOLUTION NO. 2015-55

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.

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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 2014 in the amount of \$7,603.29. 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. 2015-56

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 2015; and

WHEREAS, a notice for bids was advertised and one bid was received on February 11, 2015 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 \$53,795.18; and

WHEREAS, the Chief Financial Officer/Treasurer has determined that sufficient funds will be available in the 2015 Budget for Recreation in the amount of \$53,795.18 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 2015 be awarded to Stan's Sport Center, 528 Washington Street, Hoboken, N.J. 07030, for the amount of fifty three thousand, seven hundred ninety-five dollars and eighteen cents. (\$53,795.18).
2. The Mayor and Clerk are hereby authorized to execute the necessary contract with Stan's Sport Center in an amount not to exceed \$53,795.18 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 2015 Recreation Budget to pay the amount of \$53,795.18 in accordance with the terms of the contract.

RESOLUTION NO. 2015-57

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that permission is granted to the following for the use of facilities on the specified dates:

Community Center

1. Cub Scout Pack 51/65 – January 2, 15 and 16 2015, February 13 and 19, 2015, March 3, 2015, April 7, 2015, May 5, 2015 and June 3, 2015 from 7:00 P.M. to 9:00 P.M. to have meetings.
2. Carlstadt Girl Scouts – Wednesday, February 25, 2015 from 7:00 P.M. to 8:00 P.M. to have a meeting.
3. Project Graduation Committee – Friday, February 6, 2015 from 6:30 P.M. to 10:00 P.M. and Sunday, March 1, 2015 from 1:00 P.M. to 4:00 P.M. to have a meeting.

RESOLUTION NO. 2015-58

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED PARK AVE ASSOC. V. BOROUGH OF CARLSTADT AT 355 MICHELE PLACE, BLOCK 128, LOT 6 FOR TAX YEARS 2010 THROUGH 2014.

WHEREAS, Park Ave Assoc. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 355 Michele Place and identified on the Borough's tax maps as Block 128, Lot 6 for tax years 2010 through 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:

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- 1) The assessment for tax year 2010 to be reduced from \$1,225,000 to \$956,340.
- 2) The assessment for tax year 2011 to be reduced from \$1,225,000 to \$1,114,020.
- 3) The assessment for tax year 2012 to be reduced from \$1,225,000 to \$1,100,000.
- 4) The tax appeals for tax years 2013 and 2014 to be withdrawn by plaintiff.

RESOLUTION NO. 2015-59

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Sun Chemical Corp., 631 Central Avenue, Carlstadt, New Jersey, Block 8 Lot 2 as per Docket No. 008660-2012 dated 12/19/2014, reducing the 2012 property tax assessment from \$4,512,700.00 to \$4,000,000.00; and

WHEREAS, the reduction in 2012 property tax assessment is \$513,700.00 or \$21,292.87 in 2012 property tax.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$21,292.87 and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to “Janata, Lacap & Associates, PC Attorney for the Petitioner” and shall be mailed to: Janata, Lacap & Associates, P.C., Crossroads Corporate Center, One International Boulevard, Suite 400, PMB # 14, Mahwah, New Jersey 07495.

RESOLUTION NO. 2015-60

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Russo Meadowlands Park, LLC (As Successor by Merger with 243 Veterans Boulevard, LLC) 651 Twelfth Street, Carlstadt, New Jersey, Block 84 Lots 2 & 6 as per Docket No. 020397-2010 dated 2/28/2013 reducing the 2010 property tax assessment from \$1,895,250.00 to \$1,399,090.00 and as per Docket No. 002874-2011 dated 3/22/2013 reducing the 2011 property tax assessment from \$1,895,250.00 to \$1,399,952.00 and as per Docket No. 004615-2012 dated 3/22/2013 reducing the 2012 property tax assessment from \$1,895,250.00 to \$1,399,785.00; and

WHEREAS, the reduction in 2010 property tax assessment is \$496,160.00 or \$19,851.36 in 2010 property tax plus interest of \$4,266.96 and the reduction in 2011 property tax assessment is \$495,298.00 or \$19,886.21 in 2011 property taxes plus interest of \$3,279.19 and the reduction in 2012 property tax assessment is \$495,465.00 or \$20,537.02 in 2012 property taxes plus interest of \$2,355.78.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$70,176.52 (2010: \$24,118.32, 2011: \$23,165.40, and 2012: \$22,892.80) and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to Russo Development and shall be mailed to: Richard Berger, Esq., C/o: Russo Development, 570 Commerce Boulevard, Carlstadt, New Jersey 07072.

RESOLUTION NO. 2015-61

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of CCNY 66 Realty LLC, 666 Sixteenth Street, Carlstadt, New Jersey, Block 84 Lot 8.01 as per Docket No. 000648-2010 dated 12/19/2014 reducing the 2010 property tax assessment from \$1,515,000.00 to \$1,260,000.00 and as per Docket No. 002947-2011 dated 12/19/2014 reducing the 2011 property tax assessment from \$1,515,000.00 to \$1,213,500.00 and as per Docket No. 004451-2012 dated 12/19/2014 reducing the 2012 property tax assessment from \$1,590,000.00 to \$1,207,000.00 and as per Docket No. 000013-2013 dated 12/19/2014 reducing the 2013 property tax assessment from \$3,050,000.00 to \$2,784,000.00; and

WHEREAS, the reduction in 2010 property tax assessment is \$255,000.00 or \$10,202.55 in 2011 property tax and the reduction in 2011 property tax assessment is \$301,500.00 or \$12,105.23 in 2011 property taxes and the reduction in 2012 property tax assessment is \$383,000.00 or \$15,875.35 in 2012 property taxes, and the reduction in 2013 property tax assessment is \$266,000.00 or \$5,272.12 in 2013 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$43,455.25 (2010: \$10,202.55, 2011: \$12,105.23, 2012: \$15,875.35, 2013: \$5,272.12) and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to CCNY 66 Realty and shall be mailed to: Brian A. Fowler, Esq., C/o: Garippa, Lotz. Giannuario, 64 Park Street, Montclair, New Jersey 07042.

RESOLUTION NO. 2015-62

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 720 Washington Avenue, LLC, 720 Washington Avenue, Carlstadt, New Jersey, Block 126 Lot 48 as per Docket No. 020404-2010 dated 5/31/2013 reducing the 2010 property tax assessment from \$190,500.00 to \$1,000,000.00 and as per Docket No. 002866-2011 dated 2/28/2013 reducing the 2011 property tax assessment from \$1,190,200.00 to \$750,000.00 and as per Docket No. 004195-2012 dated 2/28/2013 reducing the 2012 property tax assessment from \$1,190,200.00 to \$750,000.00; and

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WHEREAS, the reduction in 2010 property tax assessment is \$190,200.00 or \$7,609.90 in 2010 property tax plus interest of \$1,638.76 and the reduction in 2011 property tax assessment is \$440,200.00 or \$17,674.03 in 2011 property taxes plus interest of \$3,006.07 and the reduction in 2012 property tax assessment is \$440,200.00 or \$18,246.29 in 2012 property taxes plus interest of \$3,099.17.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$52,924.99 (2010: \$10,899.43, 2011: \$20,680.10, and 2012: \$21,345.46) and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to Russo Development and shall be mailed to: Richard Berger, Esq., C/o: Russo Development, 570 Commerce Boulevard, Carlstadt, New Jersey 07072.

RESOLUTION NO. 2015-63

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 725 Washington Avenue LLC, 725 Washington Avenue, Carlstadt, New Jersey, Block 131 Lot 5 as per Docket No. 020382-2010 dated 5/31/2013 reducing the 2010 property tax assessment from \$1,423,800.00 to \$784,700.00 and as per the same Docket No. and the same date, Block 131 Lot 6, reducing the 2010 property tax assessment from \$390,600.00 to \$215,300.00 and for Block 131 Lot 5 as per Docket No. 02865-2011 dated 5/31/2013 reducing the 2011 property tax assessment from \$1,423,800.00 to \$588,600.00 and as per the same Docket No. and the same date for Block 131 Lot 6 reducing the 2011 property tax assessment from \$390,600.00 to \$161,500.00 and as per Docket No. 004608-2012 dated 5/31/2013 reducing the 2012 property tax assessment from \$1,423,800.00 to \$392,300.00 and as per the same Docket No. and the same date for Block 131 Lot 6 reducing the 2012 property tax assessment from \$390,600.00 to \$107,700.00; and

WHEREAS, the reduction in 2010 property tax assessment for Block 131 Lot 5 is \$639,100.00 or \$25,703.90 in 2010 property tax plus interest of \$5,519.22 and for Block 131 Lot 6 the reduction in 2010 property tax assessment is \$175,300.00 or \$7,013.75 in 2010 property tax plus interest of \$1,499.62 and the reduction in 2011 property tax assessment for Block 131 Lot 5 is \$835,200.00 or \$33,533.28 in 2011 property taxes plus interest of \$5,526.76 and for Block 131 Lot 6 the reduction in 2011 property tax assessment is \$229,100.00 or \$9,198.37 in 2011 property tax plus interest of \$1,518.08 and the reduction in 2012 property tax assessment for Block 131 Lot 5 is \$1,031,500.00 or \$42,755.68 in 2012 property taxes plus interest of \$4,906.44 and for Block 131 Lot 6 the reduction in 2012 property tax assessment is \$282,900.00 or \$11,726.21 in 2012 property tax plus interest of \$1,346.38.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$150,247.69, (2010: \$39,736.49, 2011: \$49,776.49, and 2012: \$60,734.71) and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to Russo Development and shall be mailed to: Richard Berger, Esq., C/o: Russo Development, 570 Commerce Boulevard, Carlstadt, New Jersey 07072.

RESOLUTION NO. 2015-64

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 800 Central Boulevard, LLC, 800 Central Boulevard, Carlstadt, New Jersey, Block 131.01 Lot 10 as per Docket No. 020376-2010 dated 5/31/2013 reducing the 2010 property tax assessment from \$7,931,100.00 to \$7,250,000.00 and as per Docket No. 002873-2011 dated 2/28/2013 reducing the 2011 property tax assessment from \$7,931,100.00 to \$7,250,000.00 and as per Docket No. 004601-2012 dated 2/28/2013 reducing the 2012 property tax assessment from \$7,931,100.00 to \$7,000,000.00; and

WHEREAS, the reduction in 2010 property tax assessment is \$681,100.00 or \$27,250.81 in 2010 property tax plus interest of \$5,843.88 and the reduction in 2011 property tax assessment is \$681,100.00 or \$27,346.17 in 2011 property taxes plus interest of \$4,506.80 and the reduction in 2012 property tax assessment is \$931,100.00 or \$38,594.10 in 2012 property taxes plus interest of \$4,427.36.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$107,969.12 (2010: \$33,094.69, 2011: \$31,852.97, and 2012: \$43,021.46) and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to Russo Development and shall be mailed to: Richard Berger, Esq., C/o: Russo Development, 570 Commerce Boulevard, Carlstadt, New Jersey 07072.

RESOLUTION NO. 2015-65

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 590 Commerce Boulevard, LLC, 590 Commerce Boulevard, Carlstadt, New Jersey, Block 131.01 Lot 12 as per Docket No. 020409-2010 dated 2/28/2013 reducing the 2010 property tax assessment from \$3,138,800.00 to \$3,000,000.00 and as per Docket No. 002868-2011 dated 2/28/2013 reducing the 2011 property tax assessment from \$3,138,800 to \$2,750,000.00 and as per Docket No. 004597-2012 dated 2/28/2013 reducing the 2012 property tax assessment from \$3,138,800.00 to \$2,750,000.00; and

WHEREAS, the reduction in 2010 property tax assessment is \$138,800.00 or \$5,553.39 in 2010 property tax plus interest of \$1,192.43 and the reduction in 2011 property tax assessment is \$388,800.00 or \$15,610.32 in 2011 property taxes plus interest of \$2,573.62 and the reduction in 2012 property tax assessment is \$388,800.00 or \$16,115.76 in 2012 property taxes plus interest of \$1,850.24.

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NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$42,895.76 (2010: \$6,745.82, 2011: \$18,183.94 and 2012: \$17,966.00) and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to Russo Development and shall be mailed to: Richard Berger, Esq., C/o: Russo Development, 570 Commerce Boulevard, Carlstadt, New Jersey 07072.

RESOLUTION NO. 2015-66

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 875 Washington Avenue, LLC, 875 Washington Avenue, Carlstadt, New Jersey, Block 132 Lot 8 as per Docket No. 020387-2010 dated 5/17/2013 reducing the 2010 property tax assessment from \$2,064,000.00 to \$1,560,000.00 and as per Docket No. 002875-2011 dated 5/17/2013 reducing the 2011 property tax assessment from \$2,064,000.00 to \$1,560,000.00 and as per Docket No. 004611-2012 dated 5/17/2013 reducing the 2012 property tax assessment from \$2,064,000.00 to \$1,560,000.00; and

WHEREAS, the reduction in 2010 property tax assessment is \$504,000.00 or \$20,165.04 in 2010 property tax plus interest of \$4,328.80 and the reduction in 2011 property tax assessment is \$504,000.00 or \$20,235.60 in 2011 property taxes plus interest of \$3,333.66 and the reduction in 2012 property tax assessment is \$504,000.00 or \$20,890.80 in 2012 property taxes plus interest of \$2,395.40.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$71,348.30 (2010: \$24,493.84, 2011: \$23,568.26 and 2012: \$23,286.20) and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to Russo Development and shall be mailed to: Richard Berger, Esq., C/o: Russo Development, 570 Commerce Boulevard, Carlstadt, New Jersey 07072.

RESOLUTION NO. 2015-67

WHEREAS, a Bergen County Community Development grant of **\$152,292.00** has been proposed by **the Governing Body of the Borough of Carlstadt for Broad Street Drainage & Roadway Improvements** in the **Borough of Carlstadt**; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the **Borough of Carlstadt**; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the **Borough of Carlstadt** hereby confirms endorsement of the **Broad Street Drainage & Roadway Improvements**; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

POLICE – Councilman Lahullier read his report for the month of 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 – Councilman Lenoy read his report for the month of January. This report will be filed.

ZONING – Councilman Lahullier read his report for the month of January. This report will be filed.

STREET LIGHTING – In the absence of Councilman Emerson, Councilman Stoltz reported progress.

HEALTH – Councilman Bartlett reported progress.

RECREATION – In the absence of Councilman Emerson, Councilman Lenoy read the report for the month of January. This report will be filed.

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

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

PROJECTS – Councilman Lahullier reported progress.

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Mayor Roseman entertained a motion to approve the request from the Carlstadt/East Rutherford Cheerleaders to provide a Special Police Officer for that event. On motion by Lenoy, seconded by Stoltz, unanimous on call of roll of those present.

REPORTS OF SPECIAL COMMITTEES:

There were no reports of special committees.

READING OF BILLS:

RESOLUTION NO. 2015-68

CAPITAL ACCOUNT

Neglia Engineering Associates	\$	834.61
Municipal Emergency Services		27,036.13
NJ Fire Equipment		1,648.00
Complete Saw		3,496.00
Russo Development		495,562.38
CCNY 66 Realty		43,455.25
Janata Lacap & Associates		21,292.87

TRUST ACCOUNT

Neglia Engineering Associates	467.95
Borough of Carlstadt	200.00
Impressive Printing, Inc.	6,661.61
Kimberly Koziel	45.00
Walter Slomienski, Jr. Esq.	2,088.25
Neglia Engineering Associates	507.50

DOG WARDEN TRUST

NJ Department of Health	204.60
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CURRENT ACCOUNT

ACTION RUBBER & INDUSTRIAL	930.00
AIRPORT HARDWARE	36.66
AL LILIENTHAL	1,258.80
ALL INDUSTRIAL-SAFETY PRODUCTS	341.85
AMERICAN PAPER SUPPLY	1,315.12
ARAMARK UNIFORM SERVICES	343.00
ARROW ELEVATOR INC.	145.00
AVAYA INC.	1,442.73
BARCO PRODUCTS	1,640.82
BCPWA	75.00
BELLAQUA INC	188.00

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BERGEN COUNTY MUNC CLERKS ASSOC.	75.00
BERGEN MUNICIPAL EMPLOYEE	17,357.00
BERGEN CO. UTILITIES AUTH	202,372.75
B.C. POLICE CHIEF ASSOC.	350.00
BRAEN STONE INDUSTRIES INC.	400.63
BRUCE'S FLORAL DESIGN	214.00
CAMPBELL FIRE PROTECTION INC.	175.50
CARLSTADT BOROUGH OF EDUCATION	978,686.43
CHEEMA OIL CORPORATION	3,082.33
CHERYL RIVERA	360.40
CHEM-TEC	127.00
CHRISTOPHER GARVIN ESQ.	400.00
COMCAST	2.09
DAVID F. CORRIGAN	12,045.00
DELUXE SALES & SERVICE	1,534.90
DESIGN -N-STITCH	205.00
ENVIRONMENTAL RENEWAL L.L.C.	367.50
E-ZPASS	32.25
THE CHOI LAW GROUP LLC	7,564.08
FIREHOUSE MAGAZINE	29.95
FORD MOTOR CREDIT CO. LLC	13,402.37
FOSTER AND COMPANY INC.	84.88
FSIWEBS	179.40
GARBARINI & CO.	26,250.00
GARDEN STATE HWY PRODUCTS	50.00
GARY J. CUCCHIARA, ESQ.	725.00
GFOA OF NEW JERSEY	90.00
GRAYCLIFF	17,300.00
GRAINGER	210.24
HARRIS UNIFORMS	2,730.45
HEDIGER'S FUEL OIL INC.	3,961.94
HENRY COSGROVE	1,125.00
HOMETOWN AUTO PARTS	198.08
HUDSON TIRE EXCHANGE	2,778.66
IACP	150.00
IAFC	234.00
IKEN MEDIA	233.10
IMPESSIVE PRINTING	1,420.78
INTERNATIONAL CODE COUNCIL	98.75
ISG THERMAL SYSTEMS USA INC.	827.00
J. KEANE ELECTRIC COMPANY	290.20
JOSEPH R. EDONE	1,258.80

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JOSEPH CRIFASI	125.60
JOEL M. WEISBLATT	1,872.00
JOHN LYONS	351.82
JOINT MEETING	8,000.00
KIMBALL MIDWEST	845.81
KORSEN R.	1,125.00
LANNI'S APPLIANCE	599.00
LAW SOFT INC.	6,800.00
LAWMEN SUPPLY CO.	4,911.94
LIFESAVERS INC.	701.04
LOWE'S BUSINESS ACCT/GEMB	1,622.81
MARLIN LEASING CORP.	969.96
MASTERMAN'S LLP	98.83
MCNERNEY & ASSOCIATE	1,950.00
MC PRODUCTS	181.54
MEADOWLANDS DINER	207.27
MEADOWLANDS HARDWARE	207.79
MEDICAL BENEFITS ACCT.	188,785.48
MERCHANTS ALARM SYSTEMS	90.00
METRO FIRE & SAFETY EQUIP.	1,049.15
METROPOLITAN CENTER	450.00
MGL PRINTING SOLUTIONS	183.20
MID BERGEN REG. COMMISSION	4,338.00
MORTON SALT INC.	3,246.86
MPH INDUSTRIES INC.	2,092.00
MSI TECHNOLOGIES, LLC	2,243.46
NARITA MARAJ LLC	532.50
NASSOR ELECTRICAL SUPPLY	193.26
NEGLIA ENGINEERING ASSOCIATES	18,967.46
NEXTEL COMMUNICATIONS	77.82
NJ FIRE EQUIPMENT CO.	11,431.40
NJSACOP	275.00
NORTH JERSEY MEDIA GROUP INC	1,287.52
OLGA RODRIGUEZ	36.00
ON TRACK ENTERPRISES	378.00
P&A AUTO PARTS	2,656.97
PAC TOOL & SUPPLY CO	119.81
PAYROLL ACCOUNT	1,586.69
PETER COLETTI	2,517.60
PINNACLE	3,885.25
PRESTI, ROSARIO JR., ESQ	888.26
PSE&G	27,664.55

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RADZINSKI, WILLIAM	277.50
REGAL STAMP CO	220.00
REGIONAL BOARD OF EDUCATION	514,970.23
REMINGTON AND VERNICK	780.00
RIEDEL SIGN CO., INC.	440.00
RITCHIE, DENNIS	5,416.66
ROBERT T. REGAN ESQ.	621.60
RUTGERS, THE STATE UNIVERSITY	287.00
SAFETYLINE	223.08
SCHMIDT, FRANK	375.00
SHERWIN WILLIAMS, INC.	289.41
STAN'S SPORT CENTER	1,265.00
QUALITY AUTO MALL	6,554.47
STAPLES BUSINESS ADVANTAGE	1,928.02
STATE TOXICOLOGY LABORATORY	45.00
TESSCO INCORPORATED	181.45
TETERBORO CHRYSLER JEEP	1,042.92
THE STANDARD INSURANCE CO	599.18
THE RODGERS GROUP LLC	11,075.00
THE B/P COUNTY REGISTRARS ASSOC.	20.00
TRANSUNION RISK & ALTERNATIVE	10.50
TREASURER STATE OF NEW JERSEY	1,148.00
TREASURER STATE OF NEW JERSEY 1992 GT	4,764.22
UNITED WATER NEW JERSEY	3,460.85
UNUM LIFE INS. CO. OF AMERICA	855.57
VALLEY NATIONAL BANK	775.60
ADPP ENTERPRISES INC.	2,236.62
VALTEK INC.	25,396.07
VERIZON	4,749.37
VERIZON	309.98
V.E. RALPH & SON	315.90
VERIZON WIRELESS	1,848.83
VFIS	1,622.88
VISUAL COMPUTER SOLUTIONS	1,735.34
WALLINGTON PLUMBING	98.04
WASTE MANAGEMENT OF NJ INC.	13,230.06
921-PRAXAIR DIST MID-ATLANTIC	973.41
WILFRED MAC DONALD INC.	599.00
ZIEROLD, JOHN	165.00
SENIOR FRIENDSHIP CLUB	3,500.00
PAYROLL ACCOUNT	327,694.07
US POSTAL SERVICE	2,000.00

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PAYROLL ACCOUNT

16,511.40

TOTAL

\$ 2,572,856.32

TOTAL BILLS FOR THE MONTH

\$ 3,176,356.47

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

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

UNFINISHED BUSINESS:

None.

HEARING OF CITIZENS:

Bruce Young, 742 Washington Street – asked when the tax appeals are going to end. Mayor Roseman said the problem is the big corporations appealing their taxes which costs the Borough a lot of money to pay back.

Donald Molzon, 530 Madison Street – mentioned to the Mayor and Council that he received complaints from residents around the cemetery about dog feces all over the place. Mayor Roseman said it is always a problem but he is going to talk to the code enforcement officers to patrol the area more often. A long discussion took place on how to solve the problem.

CONSIDERATION OF ORDINANCES:

FIRST READING

ORDINANCE NO. 15-2

BOROUGH OF CARLSTADT CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

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

WHEREAS, the Mayor and Council of the Borough of Carlstadt in the County of Bergen finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determines that a 2% increase in the budget for said year, amounting to \$ 287,489 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Carlstadt in the County of Bergen a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Carlstadt shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$503,106 and that the CY 2015 municipal budget for the Borough of Carlstadt be approved and adopted in accordance with this ordinance; and

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

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

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

RESOLUTION NO. 2015-69

BE IT RESOLVED that the ordinance entitled:

**BOROUGH OF CARLSTADT
CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 5th day of March, 2015 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

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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.

Mayor Roseman entertained a motion to introduce Ordinance No. 15-2 on first reading.

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

Mayor Roseman entertained a motion to go into closed session at 7:45 P.M. to discuss personnel. On motion by Lahullier, seconded by Bartlett, unanimous on call of roll of those present.

The meeting went back into open session at 10:15 P.M. with the following members in attendance: Mayor Roseman, Councilmen Lahullier, Stoltz, Bartlett and Lenoy.

MISCELLANEOUS & NEW BUSINESS:

Mayor Roseman entertained a motion to hire the following individuals Kevin Salo, T J Ondrof and Brandon Lopez for the DPW commencing on March 1, 2015 subject to an agreement that the DPW Union will not object to the Mayor and Council appointing part-time individuals for an unlimited length of time.

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

Mayor Roseman entertained a motion to increase John Solimine's senior bus driver hourly rate from \$17.00 to \$20.00 an hour commencing on March 1, 2015. On motion by Stoltz, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Roseman entertained a motion to adjourn the meeting at 10:20 P.M. On motion by Stoltz, seconded by Lenoy, the meeting was unanimously adjourned.

APPROVED: _____
WILLIAM ROSEMAN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK