

**REGULAR MEETING**  
**January 17, 2017**

**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, January 17, 2017 at 7:10 P.M.

Mayor Craig Lahullier asked Claire Foy, Borough Clerk to call the roll: Mayor Craig Lahullier, Councilmen David Stoltz, Richard Bartlett, James Lenoy, Joseph Emerson and William Shockley were present. Councilman Robert Zimmermann was 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, 2017 and the Herald News on January 6, 2017 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.

**READING OF MINUTES:**

Mayor Lahullier entertained a motion to accept the minutes of 12/1/16 Council Meeting, (rescheduled from 11/21/16), 12/1/16 Caucus Meeting, 12/15/16 Finance Meeting, 12/19/16 Council Meeting and 1/1/17 Adjourned Meeting (Open and Closed Sessions).

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

**CORRESPONDENCE:**

A letter was received from the Carlstadt Fire Department Board of Officers accepting the resignations of Gabriel Rodriguez and Victor Fonseca of Bergen Engine Company One and Bryan Rivera from Engine Three and the retirement of Louis Ramm from Engine Three. Councilman Bartlett made a motion to accept the resignations and retirement with regrets, seconded by Stoltz, unanimous on call of roll of those present.

**REPORT OF THE MAYOR:**

None.

**SPECIAL REPORTS:**

The Construction Official's report was read for the month of November. This report will be filed.

The Borough Clerk's report was read for the month of December. This report will be filed.

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

**STANDING COMMITTEES:**

**FINANCE** – Councilman Emerson said we have resolutions.

**CONSENT AGENDA**

**RESOLUTION NO. 2017-34**

**AGREEMENT FOR PROFESSIONAL SERVICES**

**WHEREAS**, Neglia Engineering Associates will provide the Borough of Carlstadt with an Agreement for Professional Services for Surveying Services, Engineering Services, and Construction Management Services for the Demolition of Lincoln School; and

**WHEREAS**, the Agreement for Professional Services will include a lump sum cost of \$14,350.00 representing Surveying Services and Engineering Services to prepare Construction Documents for the Demolition of Lincoln School; and

**WHEREAS**, the same Agreement for Professional Services will include an additional not to exceed cost of \$13,925.00 to be invoiced on an hourly basis in accordance with their schedule of fees representing Construction Management Services for the Demolition of Lincoln School; and

**WHEREAS**, the CFO has certified that these funds have been appropriately budgeted for; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are hereby authorized to execute the agreement of services for the Lincoln School for Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey.

**RESOLUTION NO. 2017-35**

**BE IT RESOLVED** by the Mayor and Council that the proper Borough Officials are hereby authorized and directed to make the following disbursements:

Carlstadt Board of Education	\$1,009,288.80
Regional Board of Education	600,025.83
South Bergen Municipal Joint Insurance Fund First Quarter FY 2017	247,491.04
County Open Space Trust Fund	13,650.00
County of Bergen 1 <sup>st</sup> Quarter Taxes	1,275,000.00
Interest on Bond 1/15/17 Depository Trust Bond Payment 1/15/17	89,812.50

Depository Trust	1,000,000.00
2016 Added/Omitted Taxes	6,881.45
2016 Open Space Added/Omitted	80.02

**RESOLUTION NO. 2017-36**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Ditobarbi/Avenue A Carlstadt for property located at 217 Washington Avenue, Carlstadt, New Jersey for Block 130 Lot 14 as per Docket No. 007998-2013 dated 11/23/2016 reducing the 2013 property tax assessment from \$781,800.00 to \$750,000.00 and for Block 130 Lot 18 reducing the 2013 property tax assessment from \$1,495,900.00 to \$1,375,000.00 and for Block 130 Lot 20 reducing the 2013 property tax assessment from \$91,000.00 to \$80,000.00 and for Block 130 Lot 4 reducing the 2013 property tax assessment from \$1,330,100.00 to \$1,156,200.00; and

**WHEREAS**, the reduction in the 2013 property tax assessment for:

Block	Lot	Reduction Amount	Tax Amount
130	14	\$ 31,800.00	\$ 630.27
130	18	\$120,900.00	\$ 2,396.23
130	20	\$ 11,000.00	\$ 218.02
130	4	\$173,900.00	\$ 3,446.69

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$6,691.21 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.

The refund shall be made payable to "Ditobarbi/Avenue A Carlstadt" and shall be mailed to Skoloff-Wolfe, PC, 293 Eisenhower Parkway, Livingston, New Jersey 07039.

**RESOLUTION NO. 2017-37**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Janard Management Serv. for property located at 765 Highway 17, Carlstadt, New Jersey for Block 82 Lot 1 as per Docket No. 004366-2013 dated 11/18/2016 reducing the 2013 property tax assessment from \$1,300,100.00 to \$1,000,000.00 and as per Docket No. 001157-2015 dated 11/23/2016 reducing the 2015 property tax assessment from \$1,300,100.00 to

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\$1,100,000.00 and as per Docket No. 001252-2016 dated 11/30/2016 reducing the 2016 property tax assessment from \$1,300,100.00 to \$1,100,000.00; 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) 2017 (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

**WHEREAS**, the reduction in the 2013 property tax assessment is \$300,100.00 or \$5,947.98 in 2013 property tax and the reduction in the 2015 property tax assessment is \$200,100.00 or \$4,142.07 in 2015 property tax and the reduction in the 2016 property tax assessment is \$200,100.00 or \$4,254.12 in 2016 property tax. (Since a 2017 Tax Rate has not been struck yet, the reduction shall be adjusted on the 2017 Final Tax Bill when it becomes available).

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$14,344.17 (2013: \$5,947.98, 2015: \$4,142.07, 2016: \$4,254.12) 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.

The refund shall be made payable to "Nashel & Nashel Trust Account" and shall be mailed to: Nashel and Nashel, LLC, 415 Sixtieth Street, West New York, New Jersey 07093.

**RESOLUTION NO. 2017-38**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Ditobarbi/Avenue A Carlstadt for property located at 217 Washington Avenue, Carlstadt, New Jersey for Block 130 Lot 14 as per Docket No. 007998-2013 dated 11/10/2016 reducing the 2016 property tax assessment from \$781,800.00 to \$750,000.00 and for Block 130 Lot 18 reducing the 2016 property tax assessment from \$1,495,900.00 to \$1,375,000.00 and for Block 130 Lot 20 reducing the 2016 property tax assessment from \$91,000.00 to \$80,000.00 and for Block 130 Lot 4 reducing the 2016 property tax assessment from \$1,330,100.00 to \$1,156,200.00; and

**WHEREAS**, the reduction in the 2016 property tax assessment for:

Block	Lot	Reduction Amount	Tax Amount
130	14	\$ 31,800.00	\$ 676.06

130	18	\$120,900.00	\$ 2,570.33
130	20	\$ 11,000.00	\$ 233.86
130	4	\$173,900.00	\$ 3,697.11

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$7,177.36 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.

The refund shall be made payable to “Ditobarbi/Avenue A Carlstadt” and shall be mailed to Skoloff-Wolfe, PC, 293 Eisenhower Parkway, Livingston, New Jersey 07039.

**RESOLUTION NO. 2017-39**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Russo Meadowlands Park for property located at 651 Twelfth Street., Carlstadt, New Jersey for Block 84 Lots 2 & 6 as per Docket No. 005906-2015 dated 12/9/2017 reducing the 2015 property tax assessment from \$3,706,200.00 to \$2,200,000.00 and as per Docket No. 006070-2016 dated 12/9/2016 reducing the 2016 property tax assessment from \$3,706,200.00 to \$1,800,000.00; 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) 2017 (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

**WHEREAS**, the reduction in the 2015 property tax assessment is \$1,506,200.00 or \$31,178.34 in 2015 property tax and the reduction in the 2016 property tax assessment is \$1,906,200.00 or \$40,525.81 in 2016 property tax.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$71,704.15 and the Tax Collector shall adjust his books accordingly. (2015: \$31,178.34; 2016: \$40,525.81). Since the 2017 Tax Rate has not been struck yet an adjustment will be made on the 2017 Final Tax Bill when the rate becomes available.

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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.

The refund shall be made payable to Russo Meadowlands Park, LLC and shall be mailed to Russo Development, Attn.: Richard Bergen, Esq., 570 Commerce Boulevard, Carlstadt, New Jersey 07072

**RESOLUTION NO. 2017-40**

**WHEREAS**, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of J.I.M. Partners, C/O: Spectra Realty, for property located at 11 Empire Boulevard, Carlstadt, New Jersey for Block 131.01 Lot 8 as per Docket No. 005291-2015 dated 12/9/2016 reducing the 2015 property tax assessment from \$1,100,000.00 to \$920,000.00; and

**WHEREAS**, the reduction in the 2015 property tax assessment is \$180,000.00 or \$3,726.00 in 2015 property tax.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$3,726.00 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.

The refund shall be made payable to "Nashel and Nashel LLC Trust Account" and shall be mailed to Richard B. Nashel, Esq., Nashel and Nashel, LLC, 415 60<sup>th</sup> Street, West New York, New Jersey 07093.

**RESOLUTION NO. 2017-41**

**WHEREAS**, there has been proposed an Shared Service Agreement between the Borough of Carlstadt and the Wallington Board of Health to provide a monthly Child Health Conference; and

**WHEREAS**, the Borough of Carlstadt is desirous to enter into a contract via the Uniform Shared Services and Consolidation Act (N.J.S.A.:40A:65-let. seq.) with the Wallington Board of Health for the aforementioned services; and

**WHEREAS**, the maximum amount of the contract is \$1,200.00 a year and the Financial Officer has determined sufficient funds are available in the General Account as is evidenced by Treasurer's Certification attached hereto and made a part hereof; and

**WHEREAS**, the contract documents to be executed by the Borough of Carlstadt and the Wallington Board of Health for the purposes hereinabove described are annexed hereto and is made a part of this resolution.

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

1. The Mayor and Borough Clerk of the Borough of Carlstadt are hereby authorized and directed to execute the attached agreement with the Wallington Board of Health.
2. Said agreement has been reviewed by the Board Attorney and Board of Health Members and said officials approve of same as to form and substance.
3. All Ordinances and/or Resolutions or parts thereof inconsistent with this Resolution shall be and the same are hereby repealed.
4. This Resolution shall take effect immediately in accordance with appropriate law.

**RESOLUTION NO. 2017-42**

**Mutual Aid Plan & Rapid Deployment Force  
Interlocal Service Agreement**

**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 the preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., manmade causes, civil unrest, and civil disobedience such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorder riots, terrorism incidents and bombings, State and National emergencies; and

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

**WHEREAS**, the 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

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**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 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 submitted by the Bergen County Police Chiefs Association.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that the Carlstadt Police Department, under the direction of the Chief of Police, cooperate with the Bergen County Police Chiefs 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 FURHTER RESOLVED** that a copy of this Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, the County Sheriff, the County Chief of Police, and all Bergen County Municipalities.

**RESOLUTION NO. 2017-43**

**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 date:

**Community Center**

1. Carlstadt/East Rutherford Cub Scout Pack 51/65 – Fridays, March 3, May 5 and June 2, 2017 from 6:00 P.M. to 9:00 P.M. to have den meetings.

**Borough Hall Caucus Room**

1. Carlstadt/East Rutherford Cub Scout Pack 51/65 – Thursday, January 19, 2017 from 7:00 P.M. to 9:00 P.M. for a leaders meeting.
2. Carlstadt Soccer League – Mondays, January 9 and 30, 2017 from 8:00 P.M. to 10:00 P.M.
3. Carlstadt Recreation Committee – Wednesday, January 18, 2017 or Tuesday, January 24, 2017 at 7:00 P.M.



**RESOLUTION NO. 2017-44**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED L.D.R. REALTY INC. V. BOROUGH OF CARLSTADT AT 352 WASHINGTON AVENUE, BLOCK 124, LOT 26 HM FOR TAX YEARS 2010 THROUGH 2014.**

**WHEREAS**, L.D.R. 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 352 Washington Avenue and identified on the Borough's tax maps as Block 124, Lot 26 HM 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:

- 1) The assessment for tax year 2010 to be reduced from \$ 454,700 to \$ 320,000.
- 2) The assessment for tax year 2011 to be reduced from \$ 454,700 to \$ 375,000.
- 3) The assessment for tax year 2012 to be reduced from \$ 454,700 to \$ 395,000.
- 4) The assessment for tax year 2013 to be reduced from \$ 948,900 to \$ 915,000.
- 5) The assessment for tax year 2014 to be reduced from \$ 948,900 to \$ 925,000.

**RESOLUTION NO. 2017-45**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED 70 TRIANGLE ASSOC., LLC V. BOROUGH OF CARLSTADT AT 70 TRIANGLE BOULEVARD, BLOCK 126, LOT 12 HM FOR TAX YEARS 2013 THROUGH 2016.**

**WHEREAS**, 70 Triangle Assoc., LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 70 Triangle Boulevard and identified on the Borough's tax maps as Block 126, Lot 12 HM 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 years 2013 and 2014 to remain unchanged.
- 2) The assessment for tax year 2015 to be reduced from \$ 3,255,500 to \$ 3,050,000.
- 3) The assessment for tax year 2016 to be reduced from \$ 3,255,500 to \$ 3,050,000.

**RESOLUTION NO. 2017-46**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED 145  
COMMERCE ROAD ASSOCIATES, LLC V. BOROUGH OF CARLSTADT AT 145  
COMMERCE ROAD, BLOCK 127, LOT 3 HM FOR TAX YEARS 2013 THROUGH  
2016.**

**WHEREAS**, 145 Commerce Road Associates, LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 145 Commerce Road and identified on the Borough's tax maps as Block 127, Lot 3 HM 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 \$ 2,276,400 to \$ 2,100,000.
- 2) The assessment for tax year 2014 to be reduced from \$ 2,276,400 to \$ 2,100,000.
- 3) The assessment for tax year 2015 to be reduced from \$ 2,276,400 to \$ 2,150,000.
- 4) The assessment for tax year 2016 to be reduced from \$ 2,276,400 to \$ 2,100,000.

**RESOLUTION NO. 2017-47**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED  
179 COMMERCE RD ASSOC. V. BOROUGH OF CARLSTADT AT 179 COMMERCE  
ROAD, BLOCK 127, LOT 4 HM FOR TAX YEARS 2013 THROUGH 2016.**

**WHEREAS**, 179 Commerce Rd Assoc. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 179 Commerce Road and identified on the Borough's tax maps as Block 127, Lot 4 HM 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 \$ 2,775,900 to \$ 2,400,000.
- 2) The assessment for tax year 2014 to be reduced from \$ 2,775,900 to \$ 2,500,000.
- 3) The assessment for tax year 2015 to be reduced from \$ 2,775,900 to \$ 2,536,000.
- 4) The assessment for tax year 2016 to be reduced from \$ 2,775,900 to \$ 2,450,000.

**RESOLUTION NO. 2017-48**

**Resolution:** Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Seventh Street Roadway Improvements project.

**NOW, THEREFORE BE IT RESOLVED** that the Council of the Borough of Carlstadt formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Seventh Street Roadway Improvements-00107 to the New Jersey Department of Transportation on behalf of the Borough of Carlstadt.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Carlstadt and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESOLUTION NO. 2017-49**

**Resolution:** Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Fifth Street Roadway Improvements Project.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Carlstadt formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2017-Fifth Street Roadway Improvements-00106 to the New Jersey Department of Transportation on behalf of the Borough of Carlstadt.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Carlstadt and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESOLUTION NO. 2017-50**

**AWARD OF CONTRACT**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of Neglia Engineering Associates that the Contract for:

**2016 ROADWAY PROJECTS (NJEDA FUNDED)**

be awarded to Smith Soudy Asphalt, 150 Anderson Avenue, Wallington, New Jersey 07057 for the bid amount of One Million Eight Hundred Thirty-One Thousand Three Hundred Forty-Eight Dollars and Fifteen Cents (\$1,831,348.15) (which represents the Base Bid and Alternate Bid) being the lowest of six bids submitted. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

**RESOLUTION NO. 2017-51**

**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 2016 appropriation reserves:

	<b>IN</b>	<b>OUT</b>
Admin & Exec.		
Other Expenses	\$1,200.01	
Engineering		
Other Expenses	6,204.96	
Assessment		
Other Expenses	1,090.00	
Board of Health		
Salaries & Wages	520.00	
Other Expenses	1,242.00	
Public Defender		
Salaries & Wages	600.00	
Other Insurance		
Other Expenses		\$2,237.46

Street & Roads		
Other Expenses	7,000.00	
Buildings & Grounds		
Other Expenses	1,480.02	
Friendship Club		
Other Expenses	700.00	
Solid Waste Disposal		
Other Expenses	<u>2,838.21</u>	
Gas		
Other Expenses		<u>20,637.74</u>
<b>TOTAL</b>	<b>\$22,875.20</b>	<b>\$22,875.20</b>

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

**POLICE/OEM** – Mayor Lahullier read his reports for the month of December. These reports will be filed.

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

**PUBLIC WORKS/PUBLIC PROPERTY** – Councilman Stoltz read his reports for the month of December. These reports will be filed.

**PLANNING** – Councilman Shockley read his report for the month of December. This report will be filed.

**ZONING** – Councilman Shockley read his report for the month of December. This report will be filed.

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

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

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**BOROUGH EQUIPMENT** – In the absence of Councilman Zimmermann, Councilman Lenoy read the report for the month of December. This report will be filed.

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

**PROJECTS** – Councilman Shockley read his report for the month of December. This report will be filed.

**HUMAN RESOURCES** – Mayor Lahullier did not have any to report.

**REPORTS OF SPECIAL COMMITTEES:**

There were no reports of special committees.

**READING OF BILLS:**

**RESOLUTION NO. 2017-52**

**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**

Appraisal Systems Inc.	\$ 8,100.00
Neglia Engineering Associates	4,729.74

**TRUST ACCOUNT**

Treasurer State of New Jersey	175.00
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**DOG WARDEN TRUST**

Tyco Animal Control Services	766.66
NJ Department of Health & Senior Services	4.20

**CURRENT ACCOUNT**

AMERICAN PAPER & SUPPLY	140.04
APPRAISAL SYSTEMS INC.	1,090.00
APRUZZESE, MCDERMOTT, MASTRO	4,005.00
ARAMARK UNIFORM SERVICES	1,354.80
ASSENHEIMER, CHRISTOPHER	208.68
B.C. PROSECUTORS OFFICE	6,000.00
BECTON PROJECT GRADUATION	1,000.00
BELLAQUA INC.	149.75
BERGEN COUNTY FIRE PREVENTION	300.00



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BERGEN MUNICIPAL EMPLOYEE	17,624.00
BERTA PAVING	6,500.00
BERGEN COUNTY DEPT. HEALTH SERVICES	1,242.00
CAROUSEL INDUSTRIES OF NORTH	358.44
CARLSTADT FIRE DEPARTMENT	8,600.00
CARLSTADT BOARD OF EDUCATION	1,009,288.80
CARLSTADT PTA	600.00
CARLSTADT BASKETBALL LEAGUE	6,489.00
CER WILDCATS COMPETITION	100.00
CHEM-TEC	56.00
CHRISTOPHER GARVIN ESQ.	400.00
CLAIRE FOY	750.00
CLINICAL SERVICES MGMT PC	1,669.50
COUNTY OF BERGEN	1,281,881.45
COUNTY OPEN SPACE TRUST FUND	13,730.02
DANCE THEATRE WORKSHOP	5,000.00
DENISE OEHLMANN	36.00
DITOBARBI/AVENUE A CARLSTADT	19,568.57
DOMAIN LISTING	228.00
EASTERN METAL OF ELMIRA INC.	2,327.61
GARBARINI & CO.	15,750.00
GARDEN STATE HWY PRODUCTS	111.00
DOOR WORKS INC.	479.50
HACKENSACK MEADOWLANDS	6,000.00
HARRIS UNIFORMS	571.50
HOMETOWN AUTO PARTS	217.72
H.R DIRECT	218.03
IAFCI	90.00
I.D.A.	65,551.57
IMPRESSIVE PRINTING	7,144.27
INTERGLOBE COMMUNICATIONS INC.	2,222.34
INTERNATIONAL ASSOCIATION	150.00
INTERSTATE BATTERY SYSTEM	25.00
INTERSTATE WASTE SERVICES INC.	16,069.90
JULIO RODRIGUEZ	187.50
K&K TROPHY	250.00
LAW SOFT INC.	6,800.00
LEXISNEXIS RISK SOLUTIONS	44.00
MARK MUSELLA, ESQ.	2,800.00
MCNERNEY & ASSOCIATES	11,900.00
MEADOWLANDS DINER	215.14
MEADOWLANDS HARDWARE	381.44

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MEDICAL BENEFITS ACCT	32,400.00
METRO FIRE & SAFETY EQUIP.	147.00
MINORITIES & SUCCESS	1,295.00
MSI TECHNOLOGIES LLC	425.00
GABRIELLI/KENWORTH	252.45
MUNCO OF NJ	75.00
NASHEL & NASHEL	18,070.17
NEGLIA ENGINEERING ASSOCIATES	6,204.96
NEXTEL COMMUNICATIONS	100.88
NICK'S TOWING SERVICE	490.00
NJ PLANNING OFFICIALS	325.00
NJ STATE LEAGUE OF MUNICIPALITIES	630.00
NJ STATE LEAGUE OF MUNICIPALITIES	49.00
NORTH JERSEY MEDIA GROUP INC.	1,074.31
OFFICE BUSINESS SYSTEMS	3,380.59
PAYROLL ACCOUNT	220.08
PIA	2,933.00
POLICE TRAFFIC OFFICERS ASSOC.	200.00
PRESTI, ROSARIO JR., ESQ.	518.83
PUBLIC WORKS ASSOC. OF NJ	90.00
RE-TRON TECHNOLOGIES INC.	299.97
REGIONAL BOARD OF EDUCATION	600,025.83
REMINGTON & VERNICK	211.50
ROBERT T. REGAN ESQ.	88.80
RUSSO MEADOWLANDS PARK LLC	71,704.15
RUTGERS, THE STATE UNIVERSITY	1,486.00
SLOMIENSKI, WALTER. M	1,066.66
SO. BER. MUNC. JT. INS FD	247,491.04
QUALITY AUTO MALL	473.32
STAPLES BUSINESS ADVANTAGE	620.80
SWIFT ELECTRICAL SUPPLY CO.	62.07
TCTANJ	100.00
T&R ALARM SYSTEMS INC.	832.50
TREASURER STATE OF NEW JERSEY	148.00
SUEZ WATER NEW JERSEY	252.54
UNUM LIFE INS. CO. OF AMERICA	2,112.39
ADPP ENTERPRISES INC.	310.28
V.E. RALPH & SON	168.42
VERIZON	134.99
VERIZON WIRELESS	1,423.12
VFIS	1,712.31
WAGNER TOURS INC.	700.00

WALLINGTON BOARD OF HEALTH	520.00
921-PRAXAIR DIST MID-ATLANTIC	128.40
ZIEROLD, JOHN	187.50
MEDICAL BENEFITS ACCT	800,000.00
PAYROLL ACCOUNT	407,198.29
WAREKA CATERERS	947.50
RAYMOND A. KOSKI & ASSOCIATES	457,614.49
CAPITAL ACCOUNT	1,089,812.50
MEDICAL BENEFITS ACCT	74,000.00
PAYROLL ACCOUNT	21,494.07

**TOTAL** \$ 6,380,085.28

**TOTAL BILLS FOR THE MONTH** \$ 6,393,860.88

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

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

**UNFINISHED BUSINESS:**

None.

**HEARING OF CITIZENS:**

**John Orlic, 408 Seventh Street** – mentioned to the Mayor and Council the two adult entertainment establishments in Carlstadt (Shakers and Stiletto’s) and his feeling for the need to have more control over their operations. Mayor Lahullier said he will talk to the Police Chief and the Mayor mentioned to Mr. Orlic to do the same.

**CONSIDERATION OF ORDINANCES:**

None.

**MISCELLANEOUS AND NEW BUSINESS:**

Councilman Lenoy mentioned that he needs Special Police Officers for basketball games for six Mondays. (1/23/17, 1/30/17, 2/6/17, 2/13/17, 2/20/17, 2/27/17).

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

Mayor Lahullier entertained a motion to adjourn the meeting at 7:40 P.M. On motion by Bartlett, seconded by Stoltz, unanimous on call of roll of those present.

APPROVED: \_\_\_\_\_  
CRAIG LAHULLIER, MAYOR

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