

REGULAR MEETING

July 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 Monday, July 17, 2017 at 7:00 P.M.

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

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

Mayor Craig 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.

Mayor Craig Lahullier said at this time he would like to change the regular order of business to administer the oath of office to one police officer to the Carlstadt Police Department. On motion by Emerson, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Lahullier administered the oath of office to Kyle Torres and his grandmother, Inelda Torres held the Bible and mother, Myra Keough presented him with his badge.

The Mayor and Council welcomed Kyle Torres to the Borough family.

Mayor Lahullier entertained a motion to return to the regular order of business. On motion by Lenoy, seconded by Zimmermann, unanimous on call of roll of those present.

READING OF MINUTES:

Mayor Lahullier entertained a motion to accept the minutes of 5/15/17 Council Meeting, 6/1/17 Caucus Meeting, 6/13/17 Special Meeting, 6/15/17 Finance Meeting, 6/19/17 Council Meeting and 6/27/17 Special Meeting (Open and Closed Sessions). On motion by Emerson, seconded by Zimmermann. Councilmen Zimmermann, Stoltz, Bartlett and Emerson voted yes. Councilman Lenoy abstained on 6/19/17 and voted yes on the other ones. Councilman Shockley was absent.

CORRESPONDENCE:

None to be read.

REPORT OF THE MAYOR:

Mayor Lahullier welcomed Kyle again and mentioned to the audience that out of the 197 applicants that took the police test, Kyle was the number one applicant who scored the highest on his evaluation.

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SPECIAL REPORTS:

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

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

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

The Municipal Court Administrator’s report was read for the month of June. This report will be filed.

STANDING COMMITTEES:

FINANCE – Councilman Emerson said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2017-210

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	\$ 1,033,525.55
Regional Board of Education	608,944.59
South Bergen Municipal Joint Insurance Fund 3 rd Quarter FY 2017	137,455.00
The Depository Trust Company Interest on Bond 7/15/17	74,812.50
The Depository Trust Company Pay Down of BAN 7/15/17	731,598.00

RESOLUTION NO. 2017-211

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 June 2017 be ratified:

<u>Date</u>	<u>Ck #</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
6/21/17	501315	Current	Payroll	\$ 324,968.50
6/21/17	501316	Current	Mario’s Locksmith	779.00
6/21/17	501317	Current	Petty Cash	748.87
6/21/17	501318	Current	Lowe’s	1,123.65

6/22/17	501319	Current	Medical	78,400.00
6/23/17	501320	Current	Verizon	394.98
6/29/17	501321	Current	Medical	41,000.00
6/29/17	501322	Current	Verizon	264.98
6/29/17	501323	Current	Payroll	18,793.44

RESOLUTION NO. 2017-212

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of BARELL ASSOCIATES LLC by SITEX GROUP LLC CONTRACT-PURCHASER for property located at 472 Barell Avenue, Carlstadt, New Jersey for Block 129 Lot 4 as per Docket No. 0071214-2014 dated 6/9/2017 reducing the 2014 property tax assessment from \$2,804,700.00 to \$2,200,000.00; and

WHEREAS, the reduction in the 2014 property tax assessment is \$604,700.00 or \$12,039.57 in 2014 property tax for a total refund of \$12,039.57.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$12,039.57 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 that the Carlstadt Borough Attorney Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to "Barell Associates LLC by Sitex Group LLC Contract-purchaser" and shall be mailed to Peter Zipp, Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837.

RESOLUTION NO. 2017-213

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 711 ROUTE 17 ASSOCIATES BY ONYX EQUITIES LLC RENT RECEIVER for property located at 711 Hwy 17, Carlstadt, New Jersey for Block 82 Lot 4 as per Docket No. 004251-2011 dated 6/6/2017 reducing the 2011 property tax assessment from \$1,296,700.00 to \$1,200,000.00 and as per Docket No. 004751-2012 dated 6/6/2017 reducing the 2012 property tax assessment from \$1,296,700.00 to \$1,200,000.00 and as per Docket No. 007489-

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2013 dated 6/6/2017 reducing the 2013 property tax assessment from \$2,950,000.00 to \$2,800,000.00; and

WHEREAS, the reduction in the 2011 property tax assessment is \$96,700.00 or \$3,882.50 in 2011 property tax and the reduction in the 2012 property tax assessment is \$96,700.00 or \$4,008.21 in 2012 property tax and the reduction in 2015 property tax assessment is \$150,000.00 or \$2,973.00 in 2013 property tax for a total refund of \$10,863.71.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$10,863.71 and the Tax Collector shall adjust his books accordingly. (2011: \$3,882.50, 2012: \$4,008.21, 2013: \$2,973.00).

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 Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to "711 Route 17 Associates by Onyx Equities, LLC Rent Receiver" and shall be mailed to Peter Zipp, Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837.

RESOLUTION NO. 2017-214

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of AMB BY PROLOGIS INSTITUTIONAL ALLIANCE FUND II, L.P. OWNER for property located at 525 Dell Road, Carlstadt, New Jersey for Block 123.01 Lot 24 as per Docket No. 006825-2013 dated 5/22/2017 reducing the 2013 property tax assessment from \$1,371,300.00 to \$1,250,000.00 and as per Docket No. 000212-2014 dated 2/22/2017 reducing the 2014 property tax assessment from \$1,371,300.00 to \$1,300,000.00 and as per Docket No. 001630-2015 dated 5/22/2017 reducing the 2015 property tax assessment from \$1,371,300.00 to \$1,350,000.00; and

WHEREAS, the reduction in the 2013 property tax assessment is \$121,300.00 or \$2,404.16 in 2013 property tax and the reduction in the 2014 property tax assessment is \$71,300.00 or \$1,419.58 in 2014 property tax and the reduction in the 2015 property tax assessment is \$21,300.00 or \$440.91 in 2015 property tax for a total refund of \$4,264.65.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$4,264.65 and the Tax Collector shall adjust his books accordingly. (2013: \$2,404.16, 2014: \$1,419.58, 2015: \$440.91).

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 Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to "Zipp, Tannenbaum & Caccavelli, LLC, Attorney Trust Fund" and shall be mailed to Peter Zipp, Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837.

RESOLUTION NO. 2017-215

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of AMB for property located at 640 Dell Road, Carlstadt, New Jersey for Block 123 Lot 2 as per Docket No. 000220-2014 dated 6/6/2017 reducing the 2014 property tax assessment from \$4,450,000.00 to \$4,250,000.00; and

WHEREAS, the reduction in the 2014 property tax assessment is \$200,000.00 or \$3,982.00 in 2013 property tax for a total refund of \$3,982.00.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$3,982.00 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 and that the Carlstadt Borough Attorney Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to "AMB and Zipp, Tannenbaum & Caccavelli, LLC Attorney Trust Fund" and shall be mailed to Peter Zipp, Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837.

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RESOLUTION NO. 2017-216

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Avenue A, Associates/Hanna Frank for property located at Avenue A Street, Carlstadt, New Jersey for Block 129 Lot 7 as per Docket No. 005865-2013 dated 6/9/2017 reducing the 2013 property tax assessment from \$4,603,700.00 to \$4,435,000.00 and as per Docket No. 001026-2014 dated 6/9/2017 reducing the 2014 property tax assessment from \$4,603,700.00 to \$4,485,000.00 and as per Docket No. 001729-2015 dated 5/24/2017 reducing the 2015 property tax assessment from \$4,603,700.00 to \$4,497,000.00 and as per Docket No. 001683-2016 dated 5/24/2017 reducing the 2016 property tax assessment from \$4,603,700.00 to \$4,195,000.00; and

WHEREAS, the reduction in the 2013 property tax assessment is \$168,700.00 or \$3,343.63 in 2013 property tax and the reduction in the 2014 property tax assessment is \$118,700.00 or \$2,363.31 in 2014 property tax and the reduction in the 2015 property tax assessment is \$106,700.00 or \$2,208.69 in 2015 property tax and the reduction in the 2016 property tax assessment is \$408,700.00 or \$8,688.96 in 2016 property tax for a total refund of \$16,604.59.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$16,604.59 and the Tax Collector shall adjust his books accordingly. (2013: \$3,343.63, 2014: \$2,363.31, 2015: \$2,208.69, 2016: \$8,688.96).

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 Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to "Waters, McPherson, McNeill PC, attorneys for Avenue A Associates/Hanna Frank" and shall be mailed to Waters, McPherson, McNeill, 300 Lighting Way, P.O. Box 1560, Secaucus, NJ 07096.

RESOLUTION NO. 2017-217

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 650 Dell Road Co., LLC for property located at 660 Dell Road, Carlstadt, New Jersey for Block 123 Lot 8 as per Docket No. 003431-2015 dated 6/7/2017 reducing the 2015 property tax assessment from \$1,530,700.00 to \$1,465,000.00 and as per Docket the same Docket for Block 123 Lot 10 for 650 Dell Road, Carlstadt, NJ reducing the 2015 property tax assessment from \$1,276,500.00 to \$1,000,000.00 and as per Docket No.. 001037-2016 dated 6/8/2017 reducing the 2016 property tax assessment on Block 123 Lot 8 from \$1,530,700.00 to

\$1,465,000.00 and as per the same Docket No. for Block 123 Lot 10 reducing the 2016 property tax assessment from \$1,276,500.00 to \$1,000,000.00; and

WHEREAS, the reduction in the 2015 property tax assessment on Block 123 Lot 8 is \$65,700.00 or \$1,359.99 in 2015 property tax and the reduction in the 2016 property tax assessment is \$65,700.00 or \$1,396.78 in 2016 property tax. The reduction in 2015 property tax assessment for Block 123 Lot 10 is \$276,500.00 or \$5,723.55 on 2015 property taxes and the reduction in 2016 property tax assessment is \$276,500.00 or \$5,878.39 in 2016 property tax for a total refund of \$14,358.71.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$14,358.71 and the Tax Collector shall adjust his books accordingly. (Block 123 Lot 8: \$2,756.77, Block 123 Lot 10: \$11,601.94).

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 Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to The Irwin Law Firm Attorney Trust Account FBO 650 Dell Road Co., Plaintiff and shall be mailed to The Irwin Law Firm, P.A., 80 Main Street, Suite 410, West Orange, NJ 07052.

RESOLUTION NO. 2017-218

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Multicultural Radio Broadcasting, Inc. for property located at 350 Paterson Plank Road, Carlstadt, New Jersey for Block 124 Lot 15 as per Docket No. 015869-2011 dated 6/6/2017, reducing the 2011 property tax assessment from \$450,000.00 to \$550,000.00 and as per Docket No. 0167783-2012 dated 6/6/2017 reducing the 2012 property tax assessment from \$450,000.00 to \$ 350,000.00 and as per Docket No. 001276-2013 dated 6/6/2017 reducing the 2013 property tax assessment from \$3,213,100.00 to \$850,000.00 and as per Docket No. 001406-2014 dated 6/6/2017 reducing the 2014 property tax assessment form \$3,213,100.00 to \$850,000.00 and as per Docket No. 005552-2015 dated 6/6/2017 reducing the 2015 property tax assessment from \$3,231,100.00 to \$850,000.00 and as per Docket No. 005192-2016 dated 6/7/2017 reducing the 2016 property tax assessment from \$3,213,100.00 to \$900,000.00; and

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WHEREAS, the reduction in the 2011 property tax assessment is \$100,000.00 or \$ 4,015.00 in 2011 property tax and the reduction in the 2012 property tax assessment is \$100,000.00 or \$4,145.00 in 2012 property tax and the reduction in the 2013 property tax assessment is \$ 2,363,100.00 or \$46,836.64 in 2013 property tax and the reduction in the 2014 property tax assessment is \$2,363,100.00 or \$47,049.32 in 2014 property tax and the reduction in the 2015 property tax assessment is \$2,363,100.00 or \$48,916.17 in 2015 property tax and the reduction in the 2016 property tax assessment is \$2,313,100.00 or \$49,176.50 in 2016 property tax for a total refund of \$200,138.63

It is noted that as per Docket No. 007509-2017 dated 5/22/2017 there is a reduction in the property tax assessment from \$3,213,100.00 to \$900,000.00 for a total reduction of \$2,313,100.00. Since there is no 2017 tax rate at this time, no refund can be issued. When the 2017 tax rate is confirmed a refund will be issues.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$200,138.63, and the Tax Collector shall adjust his books accordingly. (2011: \$4,015.00, 2012: \$4,145.00, 2013: \$46,836.64 2014: \$47,049.32, 2015: \$48,916.17, 2016: \$49,176.50).

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 Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to Lorraine Teleky-Petrella Trust Account and shall be mailed to: Lorraine Teleky-Petrella, 25 Main Street, Suite 206, Hackensack, NJ 07601-7035.

RESOLUTION NO. 2017-219

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of HBC New York, Inc. for property located at Paterson Plank Road, Carlstadt, New Jersey for Block 123.01 Lot 9.01 as per Docket No. 015873-2011 dated 6/6/2017 reducing the 2011 property tax assessment from \$155,000.00 to \$58,000.00 and as per Docket No. 016786-2012 dated 6/5/2017 reducing the 2012 property tax assessment from \$155,000.00 to \$61,000.00 and as per Docket No. 013232-2013 dated 6/6/2017 reducing the 2013 property tax assessment from \$448,000.00 to \$177,000.00 and as per Docket No. 011393-2014 dated 6/6/2017 reducing the 2014 property tax assessment form \$448,000.00 to \$177,000.00 and as per Docket No. 011126-2015 dated 6/6/2017 reducing the 2015 property tax assessment from \$448,000.00 to

\$212,000.00 and as per Docket No. 010155-2016 dated 6/7/2017 reducing the 2016 property tax assessment from \$448,000.00 to \$212,000.00; and

WHEREAS, the reduction in the 2011 property tax assessment is \$97,000.00 or \$3,894.55 in 2011 property tax and the reduction in the 2012 property tax assessment is \$94,000.00 or \$3,896.30 in 2012 property tax and the reduction in the 2013 property tax assessment is \$271,000.00 or \$5,371.22 in 2013 property tax and the reduction in the 2014 property tax assessment is \$271,000.00 or \$5,395.61 in 2014 property tax and the reduction in the 2015 property tax assessment is \$236,000.00 or \$4,885.20 in 2015 property tax and the reduction in the 2016 property tax assessment is \$236,000.00 or \$5,017.36 in 2016 property tax for a total refund of \$28,460.24.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$28,460.24 and the Tax Collector shall adjust his books accordingly. (2011: \$3,894.55, 2012: \$3,896.30, 2013: \$5,371.22, 2014: \$5,395.61, 2015: \$4,885.20, 2016: \$5,017.36).

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 Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to Lorraine Teleky-Petrella Trust Account and shall be mailed to: Lorraine Teleky-Petrella, 25 Main Street, Suite 206, Hackensack, NJ 07601-7035.

RESOLUTION NO. 2017-220

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Spanish Radio/Hefel for property located at 277 Paterson Plank Road, Carlstadt, New Jersey for Block 121 Lot 3 as per Docket No. 015864-2011 dated 6/6/2017 reducing the 2011 property tax assessment from \$630,000.00 to \$250,000.00 and as per Docket No. 016783-2012 dated 6/6/2017 reducing the 2012 property tax assessment from \$630,000.00 to \$ 250,000.00 and as per Docket No. 001423-2013 dated 6/6/2017 reducing the 2013 property tax assessment from \$1,176,200.00 to \$630,000.00 and as per Docket No. 001402-2014 dated 6/6/2017 reducing the 2014 property tax assessment form \$1,176,200.00 to \$630,000.00 and as per Docket No. 005545-2015 dated 6/6/2017 reducing the 2015 property tax assessment from \$1,176,200.00 to \$600,000.00 and as per Docket No. 005225-2016 dated 6/7/2017 reducing the 2016 property tax assessment from \$1,176,200.00 to \$600,000.00; and

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WHEREAS, the reduction in the 2011 property tax assessment is \$380,000.00 or \$ 15,257.00 in 2011 property tax and the reduction in the 2012 property tax assessment is \$380,000.00 or \$15,751.00 in 2012 property tax and the reduction in the 2013 property tax assessment is \$ 546,200.00 or \$10,825.68 in 2013 property tax and the reduction in the 2014 property tax assessment is \$546,200.00 or \$10,874.84 in 2014 property tax and the reduction in the 2015 property tax assessment is \$576,200.00 or \$11,927.34 in 2015 property tax and the reduction in the 2016 property tax assessment is \$576,200.00 or \$12,250.01 in 2016 property tax for a total refund of \$76,888.87.

It is noted that as per Docket No. 007532-2017 dated 5/22/2017 there is a reduction in the property tax assessment from \$1,176,200.00 to \$600,000.00 for a total reduction of \$576,200.00. Since there is no 2017 tax rate at this time, no refund can be issued. When the 2017 tax rate is confirmed a refund will be issued.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$76,888.87 and the Tax Collector shall adjust his books accordingly. (2011: \$15,257.00, 2012: \$15,751.00, 2013: \$10,825.68, 2014: \$10,874.84, 2015: \$11,927.34, 2016: \$12,250.01).

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 Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to Lorraine Teleky-Petrella Trust Account and shall be mailed to: Lorraine Teleky-Petrella, 25 Main Street, Suite 206, Hackensack, NJ 07601-7035.

RESOLUTION NO. 2017-221

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of D & M Carlstadt Properties LLC for property located at 410 420 Veterans Boulevard, Carlstadt, New Jersey for Block 124.01 Lot 4 as per Docket No. 006581-2013 dated 5/22/2017 reducing the 2013 property tax assessment from \$1,063,600.00 to \$910,000.00 and as per Docket No. 002679-2014 dated 5/2/2017 reducing the 2014 property tax assessment from \$1,063,600.00 to \$910,000.00 and as per Docket No. 002335-2015 dated 5/22/2017 reducing the 2015 property tax assessment from \$1,063,600.00 to \$950,000.00 and as per Docket No. 000459-2016 dated 5/22/2017 reducing the 2016 property tax assessment from \$1,063,600.00 to \$930,000.00; and

WHEREAS, the reduction in the 2013 property tax assessment is \$153,600.00 or \$3,044.35 in 2013 property tax and the reduction in the 2014 property tax assessment is \$153,600.00 or \$3,058.17 in 2014 property tax and the reduction in the 2015 property tax assessment is \$113,600.00 or \$2,351.52 in 2015 property taxes and the reduction in the 2016 property tax assessment is \$133,600.00 or \$2,840.33 in 2016 property taxes for a total refund of \$11,294.37.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$ 11,294.37 and the Tax Collector shall adjust his books accordingly. (2013: \$3,044.35, 2014: \$3,058.17, 2015: \$2,351.52, 2016: \$2,840.33).

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 Joseph Donahue, Esq., has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to: Michael I. Schneck, Trustee for D & M Carlstadt Properties LLC" and shall be mailed to Schneck Law Group, 301 South Livingston Avenue, Suite 105, Livingston, NJ 07039.

RESOLUTION NO. 2017-222

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the following bills for the NJEDA Project 40029 – Carlstadt Road and Storm Drainage Improvements having been approved by the Finance Committee are approved herewith for payment by the NJEDA:

Smith Sonly, Paving	\$260,251.08
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RESOLUTION NO. 2017-223

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of D & M Carlstadt Properties LLC, for property located at 440 Veterans Boulevard, Carlstadt, New Jersey for Block 124.01 Lot 4.01 as per Docket No. 014627-2013 dated 5/22/2017 reducing the 2013 property tax assessment from \$811,300.00 to \$560,000.00 and as per Docket No. 013307-2014 dated 5/22/2017 reducing the 2014 property tax assessment from \$811,300.00 to \$560,000.00 and as per Docket No. 011022-2015 dated 5/22/2017 reducing the 2015 property tax assessment from \$811,300.00 to \$550,000.00 and as per Docket No. 010907-2016 dated 5/22/2017 reducing the 2016 property tax assessment from \$811,300.00 to \$510,000.00; and

WHEREAS, the reduction in the 2013 property tax assessment is \$251,300.00 or \$4,980.76 in 2013 property tax and the reduction in the 2014 property tax assessment is \$251,300.00 or

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\$5,003.38 in 2014 property tax and the reduction in the 2015 property tax assessment is \$261,300.00 or \$5,408.91 in 2015 property taxes and the reduction in the 2016 property tax assessment is \$301,300.00 or \$6,405.63 in 2016 property taxes for a total refund of \$21,798.68.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund of \$21,798.68 and the Tax Collector shall adjust his books accordingly. (2013: \$4,980.76, 2014: \$5,003.38, 2015: \$5,408.91, 2016: \$6,405.63).

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 Joseph Donahue, Esq. has reviewed this Resolution and finds it to be satisfactory and legal. In addition the Borough Auditor has reviewed said calculations and finds them to be satisfactory and true with the Judgments.

The refund shall be made payable to: Michael I. Schneck, Trustee for D & M Carlstadt Properties LLC" and shall be mailed to Schneck Law Group, 301 South Livingston Avenue, Suite 105, Livingston, NJ 07039.

RESOLUTION NO. 2017-224

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. Carlstadt VFW Ladies Auxiliary – the second Wednesday of the month from July to December, 2017 from 1:00 P.M. to 4:00 P.M. to hold their meetings.
2. Schmidt – Hoeger Post #3149 VFW – the second and fourth Thursday of the month through December, 2017 at 8:00 P.M. to hold their meetings.
3. Eighth Grade Graduation Committee – Tuesday, July 25, 2017 at 7:00 P.M. to have a meeting.
4. Carlstadt Soccer League – Wednesday, July 26, 2017 at 8:00 P.M. to have a meeting.

RESOLUTION NO. 2017-225

WHEREAS, TMCJ, LLC, 463 Barell Avenue, 2nd Floor, Carlstadt, NJ 07072 has made

application to the Borough of Carlstadt to renew three (3) limousine licenses; and

WHEREAS, the application has been filed together with the requisite fee, and proof of insurance and Power of Attorney as required under N.J.S.A. 48:16-14 and 16 and vehicle and driver information as required by the ordinance to the satisfaction of the Borough Clerk.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application to renew three (3) limousine licenses for TMCJ, LLC, at 463 Barell Avenue, 2nd Floor, Carlstadt, NJ 07072 be and hereby is approved for VIN # 53165, #36685 and #58743.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to renew the three (3) licenses to operate three (3) limousines at the above referenced location for the period of one year, commencing July 18, 2017 and ending on July 18, 2018 and a Certificate of Compliance with the requirements of N.J.S.A. 48:16-14 and 16, through the period indicated on the proof of insurance as submitted with the application.

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

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

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

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

PLANNING – In the absence of Councilman Shockley, Councilman Lenoy read the report for the month of June. This report will be filed.

ZONING – Councilman Lenoy read his report for the month of June. This report will be filed.

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

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

BOROUGH EQUIPMENT – Councilman Zimmermann had no report.

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

PROJECTS – In the absence of Councilman Shockley, Mayor Lahullier read the report for the

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month of June. This report will be filed.

EDUCATION – Councilman Zimmermann had no report.

HUMAN RESOURCES - Mayor Lahullier read his report for the month of June. This report will be filed.

READING OF BILLS:

RESOLUTION NO. 2017-226

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:

TRUST ACCOUNT

A Team Contracting Corp	\$	321.68
3B Communications Services LLC		355.44
AJM Contractors Inc.		1,102.53
Keller & Kirkpatrick Inc.		124.72
Sciacca General Contracting		303.12
Atlantic Infrared Inc.		1,278.76
Millennium Communication Group Inc.		657.18
IEW Construction Group Inc.		6,388.34
Current Account		33,551.60
Kimberly Koziel		45.00
Kipp & Allen LLP		1,900.00
Beckmeyer Engineering P.C.		1,087.50

DOG WARDEN TRUST

NJ Department of Health & Senior Services		14.40
TYCO Animal Control Services		851.66

CURRENT ACCOUNT

711 ROUTE 17 ASSOCIATES		10,863.71
AERO-RISE LLC		898.60
ALL INDUSTRIAL-SAFETY PRODUCTS		646.16
AMERICAN PAPER & SUPPLY		1,114.07
ARROW ELEVATOR INC.		195.00
BALCO INDUSTRIES		924.00
BARRELL ASSO. LLC, BY SITEX		12,039.57
BECKMEYER ENGINEERING PC		712.60
BELLAQUA INC.		141.50
BERGEN CO. UTILITIES AUTHORITY		229,121.00
BEYER BROTHERS CORP.		540.06
BIOCHEM SUPPLY LLC		460.00
BOROUGH OF RUTHERFORD		6,159.30

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CAMPBELL FIRE PROTECTION INC	175.50
CAPITAL ACCOUNT	839,198.17
CARLSTADT BOARD OF EDUCATION	1,033,525.55
CHRISTOPHER GARVIN, ESQ.	200.00
CLARK CATON HINTZ	114.00
COMCAST	584.55
COMPLETE SAW & GARDEN EQUIP.	622.00
COMPREHENSIVE BEHAVIORIAL	3,250.00
COMFORTABLE SOLUTION	606.60
CONTINENTAL FIRE AND SAFETY	648.30
DENISE KIMAK	1,461.56
DENISE OEHLMANN	36.00
DEPARTMENT OF TREASURY	666.19
DIRECT ENERGY BUSINESS	46.63
EAGLE EQUIPMENT INC.	363.46
ELIZABETH TRUCK CENTER	5,799.00
ENVIRONMENTAL RENEWAL L.L.C.	1,330.00
EXPERT SEWER & DRAIN LLC	200.00
THE CHOI LAW GROUP LLC	6,000.30
FELDMAN BROTHERS ELECTRICAL	83.46
FIRE & SAFETY SERVICES	310.00
FRONTIN, M. JOHN	2,923.36
GARBARINI & CO.	517.50
GARDEN STATE HWY PRODUCTS	272.00
DOOR WORKS INC	1,607.65
HOMETOWN AUTO PARTS	463.84
HUDSON TIRE EXCHANGE	1,037.41
I.D.A.	10.00
IMPRESSIVE PRINTING	2,932.21
INTERGLOBE COMMUNICATIONS INC.	3,417.50
INTERSTATE WASTE SERVICES INC	20,618.50
JOINT MEETING	10,000.00
JOHNNY ON THE SPOT INC.	272.35
JOSEPH R. DONAHUE LLC	5,862.50
KIPP & ALLEN L.L.P.	2,257.50
LAWNBOYS LANDSCAPING	120.00
LEXISNEXIS RISK SOLUTIONS	94.50
LINCOLN NATIONAL LIFE INSURANCE	1,150.00
LJ'S CORPORATE AND PRIVATE	1,177.00
LORRAINE TELEKY-PETRELLA ESQ.	305,487.74
MARK MICCO	129.78
MATTHEW BENDER & CO. INC.	173.96

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MAT CLUB	150.00
MCI COMM SERVICE	27.39
MEADOWLANDS HARDWARE	407.86
METRO FIRE & SAFETY EQUIP.	165.00
MICHAEL I SCHNECK TRUST	33,093.05
MOTOROLA	2,268.60
MSI TECHNOLOGIES LLC	1,857.94
NARITA MARAJ LLC	1,970.22
NATIONAL PEN COMPANY	96.94
NEGLIA ENGINEERING ASSOCIATES	330.00
NEW JERSEY POLICE CHIEFS	2,400.00
NEXTEL COMMUNICATIONS	79.71
NJ FIRE EQUIPMENT CO.	914.35
NJ STATE ASSN. OF CHIEFS	4,000.00
NORTH JERSEY MEDIA GROUP INC	2,317.09
NORTHEAST SWEEPERS & RENTALS	74.80
OFFICE BUSINESS SYSTEMS	905.00
P&A AUTO PARTS	710.11
PAYROLL ACCOUNT	639.91
PINNACLE	850.00
PLAID MOTORS	200.00
PRESTI, ROSARIO JR., ESQ.	418.83
PSE&G	21,391.67
RAMSEY SPORT SPINE	1,140.00
RE-TRON TECHNOLOGIES INC.	318.12
REALTY APPRAISAL CO.	2,000.00
REDICARE LLC	868.95
REGAL STAMP CO	319.00
REGIONAL BOARD OF EDUCATION	608,944.59
ROBERT T. REGAN ESQ.	555.00
SCHUMACHER CHEVROLET	546.00
SENIOR FRIENDSHIP CLUB	415.76
SHERWIN WILLIAMS, INC.	567.11
SO. BER. MUNC. JT. INS FD	137,455.00
STAN'S SPORT CENTER	507.00
STATE OF NEW JERSEY	1,278.30
STAPLES BUSINESS ADVANTAGE	82.39
THE IRWIN LAW FIRM ATTORNEY'S	14,358.71
THE TERRE CO.	960.97
THE BADGE COMPANY OF NJ INC	563.10
T&R ALARM SYSTEMS INC	862.65
TREASURER STATE OF NEW JERSEY	5.00

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SUEZ WATER NEW JERSEY	11,736.49
VERIZON	10.14
VERIZON WIRELESS	1,607.08
WAGNER TOURS INC.	900.00
WATERS MCPHERSON, MCNEILL P.C.	16,604.59
921-PRAXAIR DIST MID-ATLANTIC	134.39
WILLIAM L. REEVES	300.00
WILDCAT FOOTBALL SIDELINE CLUB	250.00
WILLIAM DERMODY PUBLIC LIBRARY	45,000.00
WILFRED MAC DONALD INC	449.64
YONNY GOMEZ	200.00
AMB & ZIPP, TANNENBAUM	3,982.00
ZIPP AND TANNENBAUM	4,264.65
PAYROLL ACCOUNT	349,466.61
MEDICAL BENEFITS ACCT	50,000.00
EMILIA ROMAGNA	1,419.00
MEDICAL BENEFITS ACCT	33,000.00
PAYROLL ACCOUNT	18,730.40
MEDICAL BENEFITS ACCT	66,000.00
TOTAL	\$ 4,024,633.25
TOTAL BILLS FOR THE MONTH	\$ 4,072,615.18

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

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

REPORTS OF SPECIAL COMMITTEES:

There were no reports of special committees.

UNFINISHED BUSINESS:

Mayor Lahullier entertained a motion to appoint Dennis Ritchie, Esq. as the Mayor's Assistant to December 31, 2017. On motion by Emerson, seconded by Zimmermann, Councilmen Zimmermann, Bartlett, Lenoy and Emerson voted yes, Councilman Stoltz abstained. Councilman Shockley was absent.

HEARING OF CITIZENS:

Donald Molzon, 530 Madison Street – thanked the Mayor and Council for the summer concert series at the Village Green Park. He also asked about the Lincoln School status on the asbestos remediation. Mayor Lahullier replied the environmental company is still working on it and as soon as it is completed they will sit down with the Borough Engineer.

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CONSIDERATION OF ORDINANCES:

None.

MISCELLANEOUS AND NEW BUSINESS:

Mayor Lahullier entertained a motion to reject the bid from Antonino Surace of Wood-Ridge for \$3,000 for the 1995 bobcat loader equipment. On motion by Stoltz, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to re-advertise in the newspaper all the Borough equipment that is for sale again 20% less than what was originally priced and to renegotiate the 1995 bobcat loader and the two buses that were bid two times. On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll of those present.

**EXECUTIVE SESSION MEETING ACT
RECESS INTO CLOSED SESSION**

WHEREAS, it is necessary for the Governing Body of the Borough of Carlstadt to conduct an executive session closed to the public in order to discuss one or more of the following subjects: personnel and property.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt hereby moves to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. Seq. for the purpose of discussing one or more of the following subjects: personnel and property.

AND, BE IT FURTHER RESOLVED that the public will be informed either later this evening after reconvening the public meeting or at a future public meeting said date is not predictable at the present time.

AND, BE IT FURTHER RESOLVED that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

Mayor Lahullier entertained a motion to go into closed session at 7:30 P.M. On motion by Lenoy, seconded by Zimmermann, unanimous on call of roll of those present.

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

Mayor Lahullier entertained a motion to reimburse a Carlstadt resident Janet Higgins, 510 Washington Street, Carlstadt, NJ 07072 for the exterminator charges she incurred due to the property behind her having rodent problems and that the Zoning Department will send a letter to the

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property owner of 508 Jefferson Street, Carlstadt, NJ 07072 stating why and asking to reimburse the Borough of Carlstadt. On motion by Stoltz, seconded by Bartlett, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to adjourn the meeting at 8:25 P.M. On motion by Zimmermann, seconded by Stoltz, unanimous on call of roll of those present.

APPROVED: _____
CRAIG LAHULLIER, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK