

REGULAR MEETING
July 20, 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 Monday, July 20, 2015 at 7:15 P.M.

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

READING OF MINUTES:

Mayor Roseman entertained a motion to accept the minutes of 6/4/15 Caucus Meeting, 6/11/15 Finance Meeting and 6/15/15 Council Meeting (Open and Closed Sessions). On motion by Zimmermann, seconded by Lahullier. Councilman Lahullier, Zimmermann, Stoltz, and Emerson voted yes. Councilman Lenoy abstained on 6/4/15 Caucus Meeting and 6/11/15 Finance Meeting and voted yes on the other ones. Councilman Bartlett was absent.

CORRESPONDENCE:

None to be read.

REPORT OF THE MAYOR:

None.

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.

STANDING COMMITTEES:

FINANCE – Councilman Lenoy said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2015-171

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

Carlstadt Board of Education	\$993,158.68
Regional Board of Education	528,487.63
South Bergen Municipal Joint Insurance Fund 3 rd Quarter FY 2014	137,020.47
The Depository Trust Company Interest on Bond 7/15/15	104,812.50

RESOLUTION NO. 2015-172

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, 2015 be ratified:

<u>Date</u>	<u>Ck #</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
6/19/15	500942	Current	Verizon	\$ 134.99
6/19/15	500943	Current	Medical	100,000.000
6/19/15	500944	Current	Verizon	4,695.06
6/19/15	500945	Current	ADPP	1,669.65
6/19/15	500946	Current	Claire Foy (Petty Cash)	702.46
6/24/15	500947	Current	United Water	1,119.28
6/24/15	500948	Current	Lowe's	908.70
6/25/15	500949	Current	Payroll	278,352.17
6/29/15	500950	Current	Payroll	17,009.98
6/29/15	500951	Current	Medical	84,000.00

RESOLUTION NO. 2015-173

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, 2015 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, 2015 at 8:00 P.M. to hold their meetings.
3. Cub Scout Pack 51/65 - Monday, July 20, 2015 from 6:30 P.M. to 8:30 P.M. to have a leaders meeting.

Borough Hall Caucus Room

1. Carlstadt Soccer League – Tuesday, July 14, 2015 at 7:30 P.M. and Wednesday, July 22, 2015 at 8:00 P.M. to have meetings.

Borough Hall Lobby

1. Carlstadt Soccer League – Wednesday, July 15, 2015 from 6:30 P.M. to 8:30 P.M. for registrations.

Borough Hall Council Chambers

1. Carlstadt Soccer League – Wednesday, July 29, 2015 at 8:00 P.M. to have a coaches meeting.

RESOLUTION NO. 2015-174

WHEREAS, Robert A. and Eileen R. Milligan own the property located at 485 Division Avenue, Carlstadt, New Jersey 07072 Block 51 Lot 4 and use this property as their primary residence; and

WHEREAS, Robert A. Milligan served in the United States Marines from July 26, 1967 to April 10, 1969 receiving an Honorable Discharge; and

WHEREAS, the United States Department of Veterans Affairs has disclosed that Robert A. Milligan's wartime service connected disability is 100% totally disabling as per N.J.S.A. 54: 4-3.30 ET SEQ. as per correspondence from the Department of Veterans Affairs dated December 30, 2014; and

WHEREAS, Robert A. Milligan has certified that the property he owns and occupies is a two family dwelling and that he occupies 75 percent of said dwelling.

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NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt, that Robert A. Milligan is granted exemption from paying property taxes at 485 Division Avenue, Carlstadt, New Jersey 07072 Block 51 Lot 4 effective August 1, 2015 as long as he owns said property and the Carlstadt Tax Collector shall adjust his records accordingly.

RESOLUTION NO. 2015-175

WHEREAS, the Borough of Carlstadt has adopted a Property Maintenance Ordinance to provide the property owners of the Borough of Carlstadt the best value for their tax dollars and to provide a minimum standard of maintaining their property; and

WHEREAS, the Carlstadt Zoning Department is charged with the responsibility to regulate and inspect properties as per the Property Maintenance Ordinance; and

WHEREAS, inspections were made at the following properties for sanitation violations and overgrowth of weeds and grass, etc. and that the property owners were notified to correct the violations and did not respond in the prescribed time frame; and

WHEREAS, the Zoning Department contracted with a vendor to correct said violations.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Carlstadt that all charges paid by the Borough of Carlstadt to clean up including snow removal/remediation and landscaping the following properties shall be passed onto the property owners as a Municipal Charge and added to their property tax accounts. The properties and charges are listed below:

Block	Lot	Name	Address	Amount
24	7	Ruhle, F. & E.	326 Union Street	\$100.00

The Carlstadt Tax Collector shall adjust his books accordingly.

RESOLUTION NO. 2015-176

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of A & M Realty for property located at 675 Dell Road, Carlstadt, New Jersey, for Block 123.01 Lot 26 as per Docket No. 003739-2013 dated 6/19/2015 reducing the 2013 property tax assessment from \$2,256,700.00 to \$2,050,000.00 and as per Docket No. 005085-2014 dated 6/19/2015 reducing the 2014 property tax assessment from \$2,256,700.00 to \$2,050,000.00; and

WHEREAS, the reduction in the 2013 property tax assessment is \$206,700.00 or \$4,096.79 in 2013 property taxes and the reduction in the 2014 property tax assessment is \$206,700.00 or \$4,115.40 in 2014 property tax assessment.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$8,212.19 (2013: \$4,096.79, 2014: \$4,115.40) 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 A. & M. Realty and shall be mailed to: Gittleman, Muhlstock & Chewcaskie, LLP, 2200 Fletcher Avenue, Fifth Floor, Fort Lee, New Jersey 07024.

RESOLUTION NO. 2015-177

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 310 13th St Associates, LLC for property located at 338 Thirteenth Street (Block 110 Lot 2) 326 Thirteenth Street (Block 110 Lot 3) 308 Thirteenth Street (Block 110 Lot 4) Carlstadt, New Jersey as per Docket No. 015831-2011 dated 6/19/2015 reducing the 2011 property tax assessment on:

Block 110 Lot 2; Reduced from \$792,800.00 to \$700,000.00.

Block 110 Lot 3; Reduced from \$675,000.00 to \$562,500.00.

Block 110 Lot 4; Reduced from \$649,900.00 to \$537,500.00.

WHEREAS, the reduction in the 2011 property tax assessment on:

Block 110 Lot 2: \$92,800.00 in property tax assessment or \$3,725.92 in 2011 property taxes.

Block 110 Lot 3: \$112,500.00 in property tax assessment or \$4,416.88 in 2011 property taxes.

Block 110 Lot 4: \$112,400.00 in property tax assessment or \$4,412.86 in 2011 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$12,755.66 (2011; Block 110 Lot 2: \$3,725.92, Block 110 Lot 3: \$4,416.88, Block 110 Lot 4: \$4,412.86) and the Tax Collector shall adjust his books accordingly.

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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 310 13th St. Associates, LLC and shall be mailed to: Zipp & Tannebaum, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837.

RESOLUTION NO. 2015-178

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of 40 Broad Street, for property located at 40 Broad Street, Carlstadt, New Jersey, for Block 120 Lot 19 as per Docket No. 008459-2009 dated 6/26/2015 reducing the 2009 property tax assessment from \$3,300,000.00 to \$2,600,000.00 and as per Docket No. 006805-2010 dated 6/26/2015 reducing the 2010 property tax assessment from \$3,300,000.00 to \$2,600,000.00 and as per Docket No. 008922-2011 dated 6/26/2015 reducing the 2011 property tax assessment from \$3,300,000.00 to \$2,500,000.00 and as per Docket No. 009354-2012 dated 6/26/2015 reducing the 2012 property tax assessment from \$3,300,000.00 to \$2,500,000.00; and

WHEREAS, the reduction in the 2009 property tax assessment is \$700,000.00 or \$26,796.00 in 2009 property taxes and the reduction in the 2010 property tax assessment is \$700,000.00 or \$28,007.00 in 2010 property tax assessment and the reduction in 2011 property tax assessment is \$800,000.00 or \$32,120.00 in 2011 property taxes and the reduction in 2012 property tax assessment is \$800,000.00 or \$33,160.00 in 2012 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$120,063.00 (2009: \$26,796.00, 2010: \$28,007.00, 2011: \$32,100.00, 2012: \$33,160.00) 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: The Irwin Law Firm Attorney Trust Account F.B.O. 40 Broad Street Assoc., LLC and shall be mailed to: The Irwin Law Firm, PA, 80 Main Street, Suite 410, West Orange, New Jersey 07052.

RESOLUTION NO. 2015-179

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of International Paper Co., for property located at 1-15 Kero Rd., Carlstadt, New Jersey, for Block 126 Lot 40 as per Docket No. 006974-2011 dated 6/26/2015 reducing the 2011 property tax assessment from \$2,332,000.00 to \$1,800,000.00 and as per Docket No. 008995-2012 dated 6/26/2015 reducing the 2012 property tax assessment from \$2,332,000.00 to \$1,700,000.00; and

WHEREAS, the reduction in the 2011 property tax assessment is \$532,000.00 or \$21,359.80 in 2011 property taxes and the reduction in the 2012 property tax assessment is \$632,000.00 or \$26,196.40 in 2012 property tax assessment.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$47,556.20 (2011: \$21,359.80, 2012: \$26,196.40) 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. (Resolution # 2015-137).

The refund shall be made payable to Janata, Lacap & Hazen, LLP as Attorney for the Petitioner and shall be mailed to: Janata, Lacap & Hazen, LLP, One International Blvd., Suite 400, PMB #14, Mahwah, New Jersey 07495.

RESOLUTION NO. 2015-180

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Econolodge Meadowlands for property located at 395 Washington Avenue, Carlstadt, New Jersey for Block 128 Lot 35 as per Docket No. 000014-2013 dated 6/19/2015 reducing the 2013 property tax assessment from \$4,007,200.00 to \$3,900,000.00; and

WHEREAS, the reduction in the 2013 property tax assessment is \$107,200.00 or \$2,124.70 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 \$2,124.70 and the Tax Collector shall adjust his books accordingly.

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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 Econolodge Meadowlands and shall be mailed to: Garippa, Lotz & Giannuario, Attn.: Brian A. Fowler, Esq., 66 Park Street, Montclair, New Jersey 07042.

RESOLUTION NO. 2015-181

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Nash Associates, LLC for property located at 801 Washington Avenue, Carlstadt, New Jersey for Block 131.01 Lot 5 as per Docket No. 004671-2013 dated 6/26/2015 reducing the 2013 property tax assessment from \$7,242,800.00 to \$6,741,605.00 and as per Docket No. 004788-2014 dated 6/26/2015 and corrected on 6/30/2015 reducing the 2014 property tax assessment from \$7,242,800.00 to \$6,741,605.00; and

WHEREAS, the reduction in the 2013 property tax assessment is \$501,195.00 or \$9,933.68 in 2013 property taxes and the reduction in the 2014 property tax assessment is \$501,195.00 or \$9,978.79 in 2014 property tax assessment.

The parties having agreed that there has been no change in value or municipal-wide revaluation or reassessment adopted for the tax year 2014 (Freeze Act year) the provisions of N.J.S.A. 54: 51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year. No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$19,912.47 (2013: \$9,933.68, 2014: \$9,978.79) 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 Marcel R. Wurms Attorney Trust Account and shall be mailed to: Marcel R. Wurms, 355 Passaic Avenue, Lodi, New Jersey 07644.

RESOLUTION NO. 2015-182

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Nash Associates, LLC for property located at 773 Washington Avenue, Carlstadt, New Jersey for Block 131.01 Lot 2 as per Docket No. 004674-2013 dated 6/26/2015 reducing the 2013 property tax assessment from \$1,057,700.00 to \$975,000.00; and

WHEREAS, the reduction in the 2013 property tax assessment is \$82,700.00 or \$1,639.11 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 \$1,639.11 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. (Resolution # 2015-138).

The refund shall be made payable to Marcel R. Wurms Attorney Trust Account and shall be mailed to: Marcel R. Wurms, 355 Passaic Avenue, Lodi, New Jersey 07644.

RESOLUTION NO. 2015-183

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of Dr. Pepper Snapple Group/Yoo-Hoo Chocolate Beverage Corp. for property located at 605 Commercial Avenue, Carlstadt, New Jersey 07072 for Block 126 Lot 61 as per Docket No. 008479-2012 dated 6/19/2015 reducing the 2012 property tax assessments from \$1,815,680.00 to \$1,480,000.00 and as per Docket No. 005364-2013 reducing the 2013 property tax assessment from \$4,014,300.00 to \$3,425,000.00 and as per Docket No. 001030-2014 reducing the 2014 property tax assessment from \$4,014,300.00 to \$3,425,000.00; and

WHEREAS, the reduction of 2012 property tax assessment is \$335,680.00 or \$13,913.94 in 2012 property tax and the reduction of 2013 property tax assessment is \$589,300.00 or \$11,679.93 in 2013 property tax and the reduction of 2014 property tax assessment is \$589,300.00 or \$11,732.96.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$37,326.83 (2012: \$13,913.94, 2013: \$11,769.93, 2014: \$11,732.96) and the Tax Collector shall adjust his books accordingly.

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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 Dr. Pepper Snapple Group/Yoo-Hoo Chocolate Beverage, Corp. and shall be mailed to: Garippa, Lotz & Giannuario, Attn.: Brian A. Fowler, Esq., 66 Park Street, Montclair, New Jersey 07042.

RESOLUTION NO. 2015-184

WHEREAS, Greg Venturini states that he is the owner of and responsible for property located at 413 Tenth Street, Carlstadt, New Jersey Block 95 Lot 8; and

WHEREAS, due to Mr. Ventruini's recent illness he has been unable to pay property taxes on this property and now has a delinquent balance of \$5,401.50; and

WHEREAS, due to the delinquent property tax from 2014 this property is scheduled to be placed on the 2015 property tax sale; and

WHEREAS, Mr. Venturini has proposed to pay \$500.00 per month until the balance is paid not to exceed a five year time frame.

NOW, THEREFORE BE IT RESOLVED by the Carlstadt Governing Body that Mr. Greg Venturini is permitted to pay a minimum of \$500.00 per month for a period not to exceed five years and this property shall be removed from the 2015 property tax sale. It is also noted that should Mr. Venturini miss one monthly payment that he shall be considered in default of this Resolution and the property will be placed back on tax sale.

RESOLUTION NO. 2015-185

RESOLUTION OF CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE 2004 HIGHLANDS WATER PROTECTION AND PLANNING ACT

WHEREAS, New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State's water supplies and other significant resources; and

WHEREAS, The Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

WHEREAS, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master-Plan and proceeded with a program for its implementation through a Plan Conformance process; and

WHEREAS, the Borough of Carlstadt is a municipality that receives all or a portion of its drinking water from sources within the Highlands Region; and that the Borough of Carlstadt relies on the resources of the Highlands to meet the current and future needs of its residents.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Carlstadt wishes that it be known that we strongly support the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

RESOLUTION NO. 2015-186

BE IT RESOLVED, by the Mayor and Council of the Borough of Carlstadt that a handicapped parking space is hereby approved at the following location:

1. 329 Eighth Street

all in accordance with the requirements as stated in Ordinance No 97-14 and with the recommendation of the Police Chief of the Carlstadt Police Department.

BE IT FURTHER RESOLVED that said location shall be added to the certified list of designated handicapped parking spaces.

RESOLUTION NO. 2015-187

**A RESOLUTION AUTHORIZING THE RENEWAL OF THE
BOROUGH'S PARTIALLY SELF-FUNDED HEALTH BENEFITS PROGRAM WITH
INSURANCE DESIGN ADMINISTRATORS (IDA)
FOR THE PERIOD 8/1/15 THROUGH 8/1/16**

WHEREAS, the Borough provides medical, prescription and vision benefits through a partially self-funded plan administered by Insurance Design Administrators (IDA), located in Oakland, NJ; and

WHEREAS, due diligence was performed in the renewal process associated with this program and it was determined the renewal proposal, as offered by Everest Insurance Company, an A+ rated carrier, as rated by *A.M. Best* and administered through IDA has been determined to be most competitive in comparison to the alternate proposals solicited and evaluated by the Benefits Consultant and presented to the Mayor and Council; and

WHEREAS, the proposed renewal maintains the existing level of benefits in accordance with the contractual requirements promulgated by the various collective bargaining unit agreements within the Borough.

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NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey, the IDA renewal proposal offering a \$45,000 aggregating specific stop loss with a \$40,000 corridor and an aggregate attachment point (maximum claims liability) of \$3,109,420 through Everest Insurance Company (the re-insurer) with a maximum program liability of \$3,872,665 for the period 8/1/15 through 8/1/16 is hereby accepted and directed to the Borough Administration and Benefits Consultant for implementation; and

BE IT FURTHER RESOLVED, the Mayor, Borough Clerk and Borough Benefits Consultant are further directed to take the appropriate steps necessary to effectuate full implementation of the renewal as outlined in the analysis conducted and presented by the Health Benefits Consultant ; and

BE IT FURTHER RESOLVED, the contract award for the re-insurance component of the proposal is to a duly licensed and admitted Insurance Company within the State of NJ and therefore, such award is exempt from the requirements set forth by P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51) N.J.S.A.19:44A-20.5 et seq.

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough CFO, Borough Auditor, and PIA Security Programs, Inc., 429 Hackensack Street, P.O. Box 818 Carlstadt, NJ 07072, Benefits Consultant to the Borough.

RESOLUTION NO. 2015-188

WHEREAS, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for one (1) additional limousine license; and

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application of Pegasus Transport Service, Inc. to operate one (1) additional limousine at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the license to operate one (1) additional limousine at the above referenced location for the period of one year, commencing July 21, 2015 and ending on July 21, 2016 and a Certificate of Compliance with the requirements of N.J.S.A. 48:16-14 and 16, through the period indicated on the proof of insurance as submitted with the application.

RESOLUTION NO. 2015-189

WHEREAS, seven (7) applications have been filed requesting renewal of Plenary Retail Consumption Licenses; and

WHEREAS, one (1) application has been filed requesting renewal of a Plenary Retail Distribution Licenses; and

WHEREAS, the regular fee of one thousand seventy-four dollars (\$1,074.00) has been submitted with each application in accordance with the Borough Ordinance governing the same; and

WHEREAS, one (1) application has been filed requesting renewal of a Club License together with the fee of one hundred and fifty dollars (\$150.00) in accordance with the Borough Ordinance governing the same.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, that the seven (7) applications for renewal of Plenary Retail Consumption Licenses, the one (1) application for Plenary Retail Distribution Licenses and one (1) application for renewal of a Club License are hereby approved. All licenses when granted, will be effective on the First Day of July, 2015 and expire on the Thirtieth Day of June 2016.

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to issue the following licenses for Plenary Retail Consumption, Plenary Retail Distribution and Club License.

PLENARY RETAIL CONSUMPTION

0205-33-009-004	Anthony & Luciano Calandra, Jr.	204 First Avenue Newark, NJ 07107 (Mailing Address)
0205-33-014-003	Palsi Corp.	317 Washington Avenue
0205-33-017-009	E2J LLC	339 Hackensack Street Carlstadt, NJ 07072
0205-33-018-003	Veroli Inc.	651 Route #17 North
0205-33-022-005	Steve's Steakhouse, Inc.	State Highway #17 South
0205-33-024-005	Merwind, Inc.	710 Fifth Street Carlstadt, NJ 07072 (Mailing Address)
0205-33-025-006	Grippa Realty Associates	29 Carnation Road Monroe, NJ 08831 (Mailing Address)

PLENARY RETAIL DISTRIBUTION

0205-44-005-007 Dawd, Rizk H. 287 Broad Street

CLUB LICENSE

0205-31-026-001 GC Burkadt Post #69 American Legion, Inc. 412 Third Street

All licenses are issued subject to any special conditions now existing or hereafter imposed by the A.B.C. or the Borough of Carlstadt. All renewals where fees have been paid by uncertified check are subject to said check being cleared for payment on or before June 30, 2015.

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

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

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

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

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

ZONING – Councilman Lahullier had no report at this time.

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

HEALTH – In the absence of Councilman Bartlett, Councilman Stoltz reported progress.

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

BOROUGH EQUIPMENT – Councilman Zimmermann read his report for the month of June. This report will be filed.

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

PROJECTS – Councilman Zimmermann read his report for the month of June. This report will be filed.

REPORTS OF SPECIAL COMMITTEES:

There were no reports of special committees.

READING OF BILLS:**RESOLUTION NO. 2015-190**

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:

<u>CAPITAL ACCOUNT</u>	
The Choi Law Group LLC	\$ 6,872.08
Dr. Pepper Snapple Group	37,326.83
All Hands Fire Equipment	7,532.50
Vermeer	50,620.00
Neglia Engineering	18,310.40
Marcel R. Wurms	21,551.58
Econolodge	2,124.70
Janata Lacap & Hazen LLP	47,556.20
The Irwin Law Firm	120,063.00
310 13 th Street Associates, LLC	12,755.66
A&M Realty	8,212.19
B.C Soil Conservation	1,275.00
<u>TRUST ACCOUNT</u>	
Current Account	32,837.99
Joe Cascio	129.80
Neglia Engineering	2,559.72
Department of Children & Families	300.00
Wareka Caterers	991.00
Walter Slomianski	600.00
Kim Koziel	45.00
OTS, NJ	155.96
J&L Communications	385.41
J&K Communications	820.18
Snow Joe, LLC	6,533.70
Penta Communication	155.96
Treasurer State of NJ	6,961.00
<u>DOG WARDEN TRUST</u>	
NJ Department of Health & Senior Services	76.20
Tyco Animal Control Service	1,713.32

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CURRENT ACCOUNT

ABLE TEX	7,835.00
AERO-RISE LLC	1,284.02
ALL HANDS FIRE EQUIPMENT	1,436.22
ALSTAR AUTO AND SEATING	803.00
AMCHAR WHOLESALE INC	4,268.50
AMERICAN PAPER & SUPPLY	952.80
AMERICAN AUTO BODY & PAINT	2,600.00
A.N.D. SERVICE	233.11
ANJR	180.00
ARAMARK UNIFORM SERVICES	789.88
ARROW ELEVATOR INC.	145.00
BALCO INDUSTRIES	544.00
BELLAQUA INC.	254.50
BERGEN CO. UTILITIES AUTHORITY	202,372.00
BERGEN COUNTY HARLEY-DAVIDSON	419.57
BERGEN COUNTY CLERK	5,253.16
B. C. POLICE CHIEF ASSO	1,000.00
BEYER BROTHERS CORP.	165.81
BIOCHEM SUPPLY LLC	175.00
BLAUVELT-DOYLE REFRIGERATION	153.00
BOLT ATHLETICS-ELKRIDGE	1,399.25
CAPITAL ACCOUNT	104,812.50
CHEEMA OIL CORPORATION	3,426.47
CHERYL RIVERA	173.64
CHEM-TEC	220.00
CHRISTOPHER GARVIN ESQ.	400.00
CIRCLE D LIGHTS	447.78
CLAIRE FOY	696.28
CLIFFSIDE BODY CORP.	209.30
COMCAST	349.46
COMCAST	358.19
COMPLETE SAW & GARDEN EQUIP.	1,023.80
COMFORTABLE SOLUTION	174.50
CONTINENTAL FIRE AND SAFETY	200.00
CORNER TO CORNER	855.27
CREATIVE PRODUCT SOURCING DARE	714.23
CRISTI CLEANING SERVICE CORP.	3,254.00
DAVID. F CORRIGAN	375.00
DELUXE SALES & SERVICE	2,723.86
DENISE KIMAK	1,127.56
DOG WARDEN TRUST ACCOUNT	10,000.00

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EAGLE EQUIPMENT INC.	266.16
ENVIRONMENTAL RENEWAL L.L.C.	0.00
ENVIRONMENTAL RENEWAL L.L.C.	2,812.00
THE CHOI LAW GROUP LLC	7,163.67
FEDERAL SAFETY COMPLIANCE	298.50
FIRST PRESBYTERIAN CHURCH	350.00
FIRE & SAFETY SERVICES	77.18
FORD MOTOR CREDIT CO. LLC	13,402.37
FRED VON BARGEN	350.00
FRONTIN, M. JOHN	269.30
FUN TIME ENTERTAINMENT	2,000.00
GARBARINI & CO.	8,500.00
GARDEN STATE HWY PRODUCTS	937.35
GEORGE ELY ASSOCIATES INC.	2,409.00
GRAYBAR	18.74
DOOR WORKS INC.	1,390.00
G.T.B.M. INC	2,595.32
HACKENSACK AUTO SPRING	58.00
HARRIS UNIFORMS	1,084.25
HEDIGER'S FUEL OIL INC.	3,517.78
HIGHTAIL	320.00
HOMETOWN AUTO PARTS	168.83
HUDSON TIRE EXCHANGE	1,638.18
IMPRESSIVE PRINTING	760.03
INSTITUTE FOR PROFESSIONAL	99.00
ISG/INFRASYS	350.49
JCM ASSOCIATES LLC	949.86
JOEL M. WEISBLATT	2,250.00
JOHNNY ON THE SPOT INC	117.60
JOSEPH R. DONAHUE LLC	3,731.50
KAY PRINTING	193.30
KIMBALL MIDWEST	391.89
KIPP & ALLEN L.L.P.	854.50
LANGUAGE LINE SERVICE	54.44
LAWNBOYS LANDSCAPING	390.00
MARIO'S LOCKSMITH	250.50
MATTHEW BENDER & CO INC.	208.89
MATTHEW SMITH	62.00
MAUREEN CLARKE	615.25
MCNERNEY & ASSOCIATE	8,500.00
MEADOWLANDS HARDWARE	108.96
MEDICAL BENEFITS ACCT	50,000.00

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METRO FIRE & SAFETY EQUIP	873.00
MONTANA CONSTRUCTION CORP.	11,457.19
MSI TECHNOLOGIES LLC	1,553.75
NARITA MARAJ LLC	1,140.00
NASSOR ELECTRICAL SUPPLY	628.89
NEGLIA ENGINEERING ASSOCIATES	6,235.29
NEW JERSEY STRIDERS INC	1,440.00
NEXTEL COMMUNICATIONS	77.85
NICK'S TOWING SERVICE	465.00
NIELSEN, THOMAS CHIEF	197.85
NJ FIRE EQUIPMENT CO.	720.00
NORTH JERSEY MEDIA GROUP INC.	349.05
OUTDOOR LIVING	33,100.00
P&A AUTO PARTS	981.05
PIA	67.39
PINNACLE	625.00
PITNEY BOWES INC	1,728.00
PORTER CAPITAL CORP.	727.83
PORTER LEE CORPORATION	709.00
PRESTI, ROSARIO JR., ESQ.	1,219.89
PROGRESSIVE BRICK CO.	308.00
PSE&G	27,286.68
PUBLIC WORKS ASSOC. OF NJ	60.00
RAINBOW CLEANERS	130.00
RAPID METER SERVICE	2,245.00
RCM CEBERIO LLC	5,700.00
REGAL STAMP CO.	105.00
REGIONAL BOARD OF EDUCATION	528,487.63
RELIABLE EQUIPMENT	2,098.88
REMINGTON AND VERNICK	9,468.50
RITCHIE, DENNIS	5,666.66
ROBERT T. REGAN ESQ.	1,221.00
ROGUT MCCARTHY TROY LLC	841.71
SCHUMACHER CHEVROLET	2,238.54
SERVPRO OF HACKENSACK	2,500.00
SHERWIN WILLAIMS, INC.	415.04
SLOMIENSKI, WALTER. M	1,066.66
SO. BER. MUNC. JT. INS FD	137,020.47
SOL'S INTERPRETING SERVICE	375.00
SPAULDING MFG. INC	82.09
STAN'S SPORT CENTER	261.00
QUALITY AUTO MALL	2,860.41

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STAPLES BUSINESS ADVANTAGE	1,273.76
STROEDECKE, WARREN	750.00
TETERBORO CHRYSLER JEEP	166.16
THE TROPHY KING	90.00
THOMAS DELEASA	167.80
TONY SANCHEZ LTD	2,107.00
TRANSUNION RISK & ALTERNATIVE	11.50
TREAS/STATE OF NEW JERSEY	50.00
TREASURER STATE OF NJ	85.00
TREASURER, STATE OF NJ	820.00
UNITED WATER NEW JERSEY	11,071.76
UNUM LIFE INS. CO. OF AMERICA	1,726.38
US POSTAL SERVICE	3,200.00
ADPP ENTERPRISES INC	1,226.07
VERIZON	4,652.23
VERIZON	304.98
V.E. RAPLH & SON	94.40
VERIZON WIRELESS	1,713.18
WAGNER TOURS INC.	750.00
WALLINGTON PLUMBING	19.16
WASTE MANAGEMENT OF NJ INC.	17,703.33
921-PRAXAIR DIST MID-ATLANTIC	129.05
WILLIAM L. REEVES	300.00
WILFRED MAC DONALD INC	141.79
MEDICAL BENEFITS ACCT	52,000.00
PAYROLL ACCOUNT	320,354.28
MEDICAL BENEFITS ACCT	55,000.00
NEW JERSEY MOTOR VEHICLE	60.00
ATLANTIC AUTO RECOVERY	170.00
PAYROLL ACCOUNT	16,926.94

TOTAL \$ 1,771,119.57

TOTAL BILLS FOR THE MONTH \$ 2,159,584.95

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.

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HEARING OF CITIZENS:

Barbara O'Connor, 310 Broad Street – asked the Mayor and Council if the replacement plaque for Zimmermann Park was ordered. Mayor Roseman replied yes but the Mayor and Council are discussing the date for the dedication.

Frank Kelly, 622 Monroe Street – asked the Mayor and Council if they can reach out to United Water to clean their property by the water tower because it looks horrible. Mayor Roseman replied a letter was sent regarding that. Also he said at 616 Monroe Street he saw a stump sitting there for a long time and asked why the town hasn't ground it up. Mayor Roseman replied the DPW is in the process of removal of stumps throughout the town.

CONSIDERATION OF ORDINANCES:

None.

MISCELLANEOUS & NEW BUSINESS:

Mayor Roseman called for a moment of silence for Fred Willms, a former Carlstadt Little League President and volunteer coach for over thirty-nine years.

Mayor Roseman entertained a motion to go into closed session at 7:45 P.M. to discuss property. On motion by Lenoy, seconded by Zimmermann, the meeting unanimously went into closed session.

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

FIRST READING

ORDINANCE NO. 15-7

AN ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN FOR PROPERTIES LOCATED AT BLOCK 55, LOTS 9 AND 10 IN THE BOROUGH OF CARLSTADT AND ESTABLISHING A SENIOR CITIZEN AFFORDABLE HOUSING OVERLAY (SCAHO) ZONING DISTRICT CONSISTENT WITH THE AFFORDABLE HOUSING OVERLAY ZONE-2 (AHO-2) AND THE SENIOR CITIZEN HOUSING (SCH) ZONE. THE REDEVELOPMENT AREA SHALL BE KNOWN AS THE SENIOR CITIZEN AFFORDABLE HOUSING OVERLAY ZONE (“SCAHO”) BY ADDING THE PROPERTIES INCLUDED IN THIS ORDINANCE TO THE NEWLY CREATED SCAHO ZONING DISTRICT. CHAPTER 21, ZONING, OF THE CODE OF THE BOROUGH OF CARLSTADT IS AMENDED TO INCLUDE THE PROPERTIES AT BLOCK 55, LOTS 9 AND 10 IN THE SCAHO ZONE. CHAPTER 21-4e. PERTAINING TO THE BOROUGH OF CARLSTADT ZONING MAP IS HEREBY AMENDED TO INCLUDE THE SCAHO ZONE.

WHEREAS, on June 5, 2014 the Borough Council of the Borough of Carlstadt adopted Resolution Number 2014-127 declaring and designating the former Lincoln School property as an area in need of redevelopment (ANR) for “non-condemnation” purposes. The Lincoln School being located at Block 55, Lots 9 and 10 in the Borough of Carlstadt; and

WHEREAS, the designation of the ANR in the Borough of Carlstadt was accomplished, pursuant to the New Jersey Local Redevelopment and Housing Law (“LRHL”-N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, on June 5, 2014 the Borough Council of the Borough of Carlstadt authorized by Resolution Number 2014-127 the creation of this redevelopment plan; and

WHEREAS, the Local Redevelopment and Housing Law (LRHL) allows for the substantial improvement to properties included in an area in need of redevelopment resulting in capital investment and the turnaround or rearrangement of properties that are either unused, underutilized, fragmented, or deteriorated and foster beneficial economic development; and

WHEREAS, the Borough of Carlstadt recognizes that continued compliance with both the federal and state Fair Housing Acts is critical to every municipality in New Jersey. The Borough of Carlstadt recognizes that Council on Affordable Housing (COAH) was created in 1985 through state legislation to devise a method for municipalities to comply with the Fair Housing Act(s). The New Jersey Fair Housing Act (FHA) was an outcome of the Mount Laurel group of cases, now referred to a Mount Laurel II, which must be complied with if municipalities choose to grow, with an emphasis or focus on suburban towns-in the PA-1 and PA-2 categories of the SDRP, which Carlstadt is located. Therefore, this redevelopment plan has a primary, but not singular, objective to further the Borough of Carlstadt efforts in meeting any FHA requirements; and

WHEREAS, Section 21-22 of the Borough of Carlstadt Code establishes the purpose of the “Affordable Housing Overlay Zones” located in Carlstadt, to wit: “The overlay zone provides an appropriate and realistic mechanism to promote the creation of affordable housing when vacant properties are developed or existing developed sites are redeveloped. An affordable housing component, in any new residential development in the Borough is required where the development proposes 10 or more units pursuant to overlay zones created by this section.” ; and

WHEREAS, Section 21-23 of the Borough of Carlstadt Code establishes the purpose of the “Senior Citizen Housing District” located in Carlstadt, to wit: “*The Borough of Carlstadt recognizes the need for affordable alternative housing for the senior citizen population who no longer maintain a residence for their children and which is comprehensively designed to meet the needs of senior citizens.*”

; and

WHEREAS, Section 21-23 h. 2. of the Borough of Carlstadt Code indicates:

All development shall comply with the applicable terms and conditions of the Uniform Housing Affordability Controls Regulations as promulgated by the Council on Affordable Housing and currently set forth in N.J.A.C 5:80-26.1 et.seq., as same may be amended and supplemented from time to time.

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Which said condition shall be applicable to the SCAHO zone except should the New Jersey courts establish a different standard the court imposed standard shall apply; and

WHEREAS, the primary objectives of the Borough of Carlstadt redevelopment effort and this redevelopment plan are to: 1) improve property conditions in the Borough through the occupancy of the former Lincoln School; 2) improve the quality of life of Borough residents, especially the senior population on fixed income; 3) to further the purposes of the AHO-2 and SCH zoning districts hereinbefore established; and, 4) to further comply with the intent and spirit of the FHA through the extension of the previously established AHO-2 and SCH zones to the former Lincoln School property.

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Carlstadt, in accordance with the provisions of the LRHL, that the 2015 Carlstadt Redevelopment Plan for the former Lincoln School, Block 55, Lots 9 and 10, is hereby created with the following additional provisions:

Section 1. Declaration of Redevelopment Area.

The preamble, or Whereas clauses, hereinbefore recited are made a part of this ordinance as though they are part of the functional part of this ordinance and as though they are included in the Ordained portion of this redevelopment plan.

B. Based upon the recommendation of the Carlstadt Planning Board and recognizing the diligent work of the Board, the properties at:

Address: Parcel ID	Street Address
Block 55, Lot 9	Division Avenue on Sixth Street
Block 55, Lot 10	Division Avenue between Sixth Street and Seventh Street

are hereby declared an area in need of redevelopment pursuant to the provisions of N.J.S.A. 40A:12A-1 et seq. The above properties are hereby to be located in the 2015 Carlstadt Redevelopment Area. The 2015 Carlstadt Redevelopment Plan area includes the properties situated in the Senior Citizen Affordable Housing Overlay zone, which shall also be known as the “SCAHO” zone.

Section 2. Creation of the 2015 Carlstadt Redevelopment Plan and the SCAHO ZONE.

A. The 2015 Carlstadt Redevelopment Plan hereby provides for the creation and implementation of the Senior Citizen Affordable Housing Overlay zone (SCAHO) at Blocks 55, Lots 9 and 10. Any redevelopment project undertaken pursuant to this redevelopment plan shall comply with Section 19 of the Carlstadt Code pertaining to Land Subdivision and Site Plan Review. Notwithstanding the foregoing the Carlstadt Planning Board may grant extensive deviations, if required, to Section 19-7.8 pertaining to Driveway; Sight Distances; Geometric Design.

B. Use Provisions. Section 21-23 of the Carlstadt Code pertaining to the Senior Citizen Housing District is hereby amended to include the following provisions:

d.- "Block 55, Lots 9 and 10 are hereby designated as an Senior Citizen Affordable Housing Overlay zone".

f.- "Maximum building coverage: as to the SCAHO: 75%, or the building coverage of the former Lincoln School, whichever is greater."

g. "Parking"

1. Five-tenths parking space for each bedroom is required. (This is the same as the SCH zone.) The parking requirement shall include no less than 50% of the required spaces shall be provided on-site. The remaining parking spaces may be off-site but shall be identified on any duly filed site plan application made by the redevelopment plan provides that twenty (20) parking spaces are required to be provided for any project located in the SCAHO zone as envisioned in Section 3B of this redevelopment plan. Ten (10) of the parking spaces shall be on-site.

C. Chapter 21-4 of the Carlstadt Code entitled "Establishment of Zones" is hereby amended to include the properties specified in this ordinance and said properties shall be included in the SCAHO zoning district.

Section 3. Special Conditions Applicable to the 2015 Carlstadt Redevelopment Plan.

A. Property Ownership. The Borough of Carlstadt received title to the Lincoln School property on September 15, 2008. The Borough Council recognizes that the properties located in this ANR and the SCAHO zone have historical significance and must be treated with respect when a redevelopment project is undertaken.

B. In furtherance of the objectives of this redevelopment plan the Borough Council of the Borough of Carlstadt intends to sponsor an affordable housing project of approximately thirty six (36) residences, of which not greater than eight (8) units may include a den (a den is a separate room no larger than twelve feet by fifteen feet without a closet) or two bedrooms. However, no more than four units shall be two bedroom units, without limitation as to room size.

All residences located in the SCAHO zone shall be occupied by senior citizens as defined in Section 21-23 c of the Carlstadt Code: To wit:

"The housing (shall be) designed and constructed as an age-restricted project where at least one resident of any unit be 62 years or over; or a husband or wife, regardless of age, residing with his or her spouse, provided that the spouse of such person is of the age of 62 or over."

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C. The property owner or lessee of the property, whichever may be responsible for the development of the former Lincoln School, together with the residents of the SCAHO zone (occupants of the multiple-family development constructed in the SCAHO zone), shall be required to provide for the upkeep, maintenance and expense of the entire property upon substantial completion of any redevelopment project undertaken in the 2015 Carlstadt Redevelopment Plan area including the sanitary sewer collection system servicing the property, internal roadways, drives, parking facilities, and drainage facilities. The Borough of Carlstadt shall at no time be responsible for the cost of such items. Internal street lighting (illumination), garbage/refuse and recyclable material pickup and snow plowing of internal and drives shall be the responsibility of the property owner or lessee of the property, whichever may be responsible for the development of the former Lincoln School, and the residents of the SCAHO zone (multiple-family development) constructed in the SCAHO zone. It is the intent of the Borough Council that the adequacy and scope of all public service issues be determined by the Carlstadt Planning Board at site plan review and approval as the Carlstadt Planning Board deems appropriate.

D. Section 18-5.8 of the Borough of Carlstadt Code is hereby amended to read in full as follows: "To hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, decision or refusal made by an administrative official or agency based on or made in the enforcement of the zoning ordinance.

However, in furtherance of the objectives of the 2015 Redevelopment Plan and the objectives of the Borough Council, the Carlstadt Board of Adjustment and/or Carlstadt Planning Board shall NOT consider, grant or approve deviations (or variances) from the land use provisions (including permitted and conditional uses) of the SCAHO zone, as specified and included in the 2015 Carlstadt Redevelopment Plan.

When considering a site plan application pertaining to Block 55, Lot 9 or Lot 10, the Carlstadt Planning Board may grant extensive deviations to the applicable zoning provisions and broadly implement deviations (variances) to bulk regulations and other zone standards, conditions and factors as it deems appropriate- with the only specific exception being land use. Notwithstanding the foregoing, the Carlstadt Planning Board may not establish stricter bulk standards than provided in the 2015 Carlstadt Redevelopment Plan."

The Carlstadt Board of Adjustment and Carlstadt Planning Board are therefore barred from changing or deviating from the use provisions of the 2015 Carlstadt Redevelopment Plan, specifically, Section 2 B. of this ordinance. This provision shall also be applicable to the site plan approval process indicated in Section 18-4.10 of the Borough of Carlstadt Code.

Section 4. Designation of Redevelopment Entity.

Pursuant to the authority granted by N.J.S.A. 40A:12A-4(c) of the LRHL, the Carlstadt Borough Council is hereby designated as the redevelopment entity for 2015 Carlstadt Redevelopment Plan and redevelopment area, the newly created SCAHO zone.

The redevelopment entity, or redevelopment agency, is authorized to exercise its powers thereof in accordance with the LRHL.

Section 5. Powers of Redevelopment Agency.

Pursuant to LRHL, the Borough Council may, pursuant to N.J.S.A 40A:12A-8 of the LRHL, proceed with the clearance, replanning, development and redevelopment of the 2015 Carlstadt Redevelopment Area, and as the current owner of the property may carry out and effectuate said objectives and purposes hereinbefore set forth in this Redevelopment Plan.

The Borough Council may do those things necessary to implement this redevelopment plan; including but not limited to the undertaking of a redevelopment project and sell or lease property it owns in the ANR.

To accomplish the objectives of the 2015 Redevelopment Plan the Borough Council may issue bonds in accordance with the provisions of N.J.S.A. 40A:12A-29; prepare or arrange by contract for the provision of professional services and the preparation of plans by registered architects, licensed professional engineers or planners, or other consultants for the carrying out of redevelopment projects; and arrange or contract with public agencies or redevelopers for the planning, replanning, construction, or undertaking or any project or redevelopment work, or any part thereof; negotiate and collect revenue from a redeveloper to defray the costs of the redevelopment entity, including where applicable the costs incurred in conjunction with bonds, notes or other obligations issued by the redevelopment entity, and to secure payment of such revenue; as part of any such arrangement or contract, provide for extension of credit, or making of loans, to redevelopers to finance any project or redevelopment work, or upon a finding that the project or redevelopment work would not be undertaken but for the provision of financial assistance, or would not be undertaken in its intended scope without the provision of financial assistance, provide as part of an arrangement or contract for capital grants to redevelopers; and arrange or contract with public agencies or redevelopers for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing or facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with the redevelopment area.

Section 6. Leasing of Property and Financial Agreement.

The Borough of Carlstadt Council acting as the Redevelopment Agency, is hereby authorized to lease or sell the properties the Borough owns in the Redevelopment Area. The Borough may take advantage of financial incentives provided by the Long Term Tax Exemption Law, N.J.S.A 40A:20-1 et seq., the Redevelopment Area Bond Financing Act, N.J.S.A. 40A:12A-64 et seq., and/or any other applicable incentive programs.

BE IT FURTHER ORDAINED as follows:

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Section 7. Execution of Documents.

The Mayor of the Borough of Carlstadt is hereby designated to execute, and the Borough Clerk of the Borough of Carlstadt is hereby designated to attest to, any and all documents necessary to carry out any of the purposes set forth in this ordinance.

Section 8. Notice.

The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the adoption of this ordinance to the Bergen County Planning Board and to all other persons, including the property owners of record, entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63, if required.

Upon the adoption of this ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance as finally adopted with the Bergen County Planning Board, as required by N.J.S.A. 40:55D-16.

The Clerk shall also forthwith transmit a copy of this ordinance after final passage to the Borough Tax Assessor, as required by N.J.S.A. 40:49-2.1.

Section 9. Conflict.

All ordinances or resolutions, or parts of ordinances or resolutions that are in conflict with the provisions of this ordinance are hereby repealed to the extent necessary.

Section 10. Illegal Provisions.

If any article, section, subsection, term or condition of this ordinance is declared invalid or illegal for any reason, the balance of the ordinance shall be deemed severable and shall remain full force and effect. Further, if any sentence, section, clause or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgement shall not effect, impair, or repeal the remainder of this ordinance.

Section 11. Effective Date.

This ordinance shall take effect immediately upon final passage and publication as required by law and upon filing with the Bergen County Planning Board.

Section 12. Duration of Redevelopment Plan.

The SCAHO zone and the 2015 Redevelopment Plan established by this ordinance as may be amended shall expire on December 31, 2070.

RESOLUTION NO. 2015-190-A

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE ESTABLISHING A REDEVELOPMENT PLAN FOR PROPERTIES LOCATED AT BLOCK 55, LOTS 9 AND 10 IN THE BOROUGH OF CARLSTADT AND ESTABLISHING A SENIOR CITIZEN AFFORDABLE HOUSING OVERLAY (SCAHO) ZONING DISTRICT CONSISTENT WITH THE AFFORDABLE HOUSING OVERLAY ZONE-2 (AHO-2) AND THE SENIOR CITIZEN HOUSING (SCH) ZONE. THE REDEVELOPMENT AREA SHALL BE KNOWN AS THE SENIOR CITIZEN AFFORDABLE HOUSING OVERLAY ZONE (“SCAHO”) BY ADDING THE PROPERTIES INCLUDED IN THIS ORDINANCE TO THE NEWLY CREATED SCAHO ZONING DISTRICT. CHAPTER 21, ZONING, OF THE CODE OF THE BOROUGH OF CARLSTADT IS AMENDED TO INCLUDE THE PROPERTIES AT BLOCK 55, LOTS 9 AND 10 IN THE SCAHO ZONE. CHAPTER 21-4e. PERTAINING TO THE BOROUGH OF CARLSTADT ZONING MAP IS HEREBY AMENDED TO INCLUDE THE SCAHO ZONE.

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 17th day of September, 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 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 a First Reading Ordinance for the Senior Housing Project to be adopted on Thursday, September 17, 2015. On motion by Lahullier, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Roseman entertained a motion to go into closed session at 8:25 P.M. to discuss personnel and property. On motion by Lahullier, seconded by Zimmermann. The meeting unanimously went into closed session.

The meeting went back into open session at 9:00 P.M. with the following members in attendance: Mayor Roseman, Councilmen Lahullier, Zimmermann, Stoltz, Lenoy and Emerson.

Mayor Roseman entertained a motion to hire the Labor Attorney, David Corrigan to investigate an allegation claim from a Police Lieutenant. On motion by Zimmermann, seconded by Emerson. Councilman Lahullier abstained. Councilmen Zimmermann, Stoltz, Lenoy and Emerson voted yes. Councilman Bartlett was absent.

Mayor Roseman entertained a motion to have Pay Com to do the business administration tool for the Affordable Care Act Compliance. On motion by Lahullier, seconded by Stoltz, unanimous on call of roll of those present.

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Mayor Roseman entertained a motion to approve the cooperative shared services for fuel pending the Borough Attorney's review. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll of those present.

Mayor Roseman entertained a motion to adjourn the meeting at 9:05 P.M. On motion by Zimmermann, seconded by Emerson, the meeting was unanimously adjourned.

APPROVED: _____
WILLIAM ROSEMAN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK