

**REGULAR MEETING  
June 20, 2016**

**A REGULAR SCHEDULED COUNCIL MEETING** of the Mayor and Council of the Borough of Carlstadt was held in the Council Chambers of the Borough Hall, 500 Madison Street, Carlstadt, New Jersey on Monday, June 20, 2016 at 6:00 P.M.

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

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

Mayor Lahullier – This meeting has been called pursuant to the Open Public Meetings Law and in accordance with Section 5 of the Open Public Meetings Act, adequate notice of this meeting having been provided in the annual notice schedule which contained the time, date and location of the meeting, copies of which were sent and advertised in the following official newspapers of Carlstadt: The Record on January 6, 2016 and the Herald News on January 6, 2016 a copy of which is on the Bulletin Board in the Borough Hall and a copy on file in the office of the Borough Clerk.

Notification of the time change from 7:00 P.M. to 6:00 P.M. was published in The Record on Friday, June 3, 2016.

Mayor Lahullier welcomed everyone and mentioned suspending the normal course of business to have Councilman David Stoltz present the Recycling Awards. On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll of those present.

Councilman Stoltz acknowledged all the people involved with the recycling program and thanked them for all the work they do. He also asked everyone to please follow the recycling calendar and if anyone has any questions to call the DPW for advice.

Councilman Stoltz called upon Paul Ritchie, Recycling Coordinator and Mrs. Anderson, Carlstadt Public School Teacher to read the names of the winners of the 2016 Poster Contest Recycling Awards.

<b>GRADE</b>	<b>PLACE</b>	<b>WINNER</b>	<b>GIFT CERTIFICATE</b>
<b>PRE-K</b>	<b>3<sup>RD</sup> PLACE</b>	<b>ANGELINA VASILAROPOULOS</b>	<b>\$ 25.00</b>
	<b>3<sup>RD</sup> PLACE</b>	<b>EUGENA BILOUS</b>	<b>25.00</b>
	<b>2<sup>ND</sup> PLACE</b>	<b>MICHAEL VALENCIA</b>	<b>50.00</b>
	<b>1<sup>ST</sup> PLACE</b>	<b>JAEDA BENITEZ-LABOY</b>	<b>100.00</b>
<b>KINDERGARTEN</b>	<b>3<sup>RD</sup> PLACE</b>	<b>GABRIELLA VALERA</b>	<b>\$ 25.00</b>
	<b>2<sup>ND</sup> PLACE</b>	<b>SARAH SEZGIN</b>	<b>50.00</b>
	<b>2<sup>ND</sup> PLACE</b>	<b>VICTORIA GARCIA</b>	<b>50.00</b>
	<b>1<sup>ST</sup> PLACE</b>	<b>ADDISON HANSEN</b>	<b>100.00</b>

REGULAR MEETING

June 20, 2016

Page 2

<b>1<sup>ST</sup> GRADE</b>	<b>3<sup>RD</sup> PLACE</b>	<b>KAMILA PACHUCKI</b>	<b>\$ 25.00</b>
	<b>2<sup>ND</sup> PLACE</b>	<b>NATHANIEL LUZURIAGA</b>	<b>50.00</b>
<b>2<sup>ND</sup> GRADE</b>	<b>1<sup>ST</sup> PLACE</b>	<b>JOSHELY ALCANTARA CORTES</b>	<b>100.00</b>
	<b>3<sup>RD</sup> PLACE</b>	<b>DIEGO BRAVO MUNOZ</b>	<b>\$ 25.00</b>
	<b>2<sup>ND</sup> PLACE</b>	<b>MATTHEW CABRERA</b>	<b>50.00</b>
<b>3<sup>RD</sup> GRADE</b>	<b>1<sup>ST</sup> PLACE</b>	<b>MIA BARCZYNSKI</b>	<b>100.00</b>
	<b>3<sup>RD</sup> PLACE</b>	<b>NATHAN SHIN</b>	<b>\$ 25.00</b>
	<b>2<sup>ND</sup> PLACE</b>	<b>SHAYLA JON MAURER</b>	<b>50.00</b>
<b>4<sup>TH</sup> GRADE</b>	<b>2<sup>ND</sup> PLACE</b>	<b>MICAELLA FRAGOLA</b>	<b>50.00</b>
	<b>1<sup>ST</sup> PLACE</b>	<b>SANDRA NIZBORSKI</b>	<b>100.00</b>
	<b>3<sup>RD</sup> PLACE</b>	<b>BERKAY HEKIMOGLU</b>	<b>\$ 25.00</b>
<b>5<sup>TH</sup> GRADE</b>	<b>2<sup>ND</sup> PLACE</b>	<b>SALVATORE PENNA</b>	<b>50.00</b>
	<b>1<sup>ST</sup> PLACE</b>	<b>MADISON KIRK</b>	<b>100.00</b>
	<b>3<sup>RD</sup> PLACE</b>	<b>ZUZANNA GOZDZ</b>	<b>\$ 25.00</b>
<b>6<sup>TH</sup> GRADE</b>	<b>2<sup>ND</sup> PLACE</b>	<b>SAMANTH GARCIA</b>	<b>50.00</b>
	<b>1<sup>ST</sup> PLACE</b>	<b>TRINITY HANSEN</b>	<b>100.00</b>
	<b>3<sup>RD</sup> PLACE</b>	<b>KARMEL JABER</b>	<b>\$ 25.00</b>
<b>7<sup>TH</sup> GRADE</b>	<b>2<sup>ND</sup> PLACE</b>	<b>YOMNA HAMMOUDA</b>	<b>50.00</b>
	<b>1<sup>ST</sup> PLACE</b>	<b>CAMILLE BELLO</b>	<b>100.00</b>
	<b>3<sup>RD</sup> PLACE</b>	<b>DAK CHEUNG CHENG</b>	<b>\$ 25.00</b>
<b>8<sup>TH</sup> GRADE</b>	<b>3<sup>RD</sup> PLACE</b>	<b>ANGELINA LINK</b>	<b>25.00</b>
	<b>2<sup>ND</sup> PLACE</b>	<b>SOFIYA TERENTYEVA</b>	<b>50.00</b>
	<b>1<sup>ST</sup> PLACE</b>	<b>EMELLIE DIAZ</b>	<b>100.00</b>
	<b>3<sup>RD</sup> PLACE</b>	<b>JULIA MAIMONE</b>	<b>\$ 25.00</b>
<b>OVERALL WINNER</b>	<b>2<sup>ND</sup> PLACE</b>	<b>LILIANA SEORER</b>	<b>50.00</b>
	<b>1<sup>ST</sup> PLACE</b>	<b>CECILIA KANG</b>	<b>100.00</b>
		<b>CAMILLE BELLO</b>	<b>\$100.00</b>

Everyone was invited to go downstairs in the firehouse for refreshments.

The meeting reconvened at 6:50 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Zimmermann, Stoltz, Bartlett and Lenoy.

**READING OF MINUTES:**

Mayor Lahullier entertained a motion to accept the minutes of 4/7/16 Caucus Meeting, 5/5/16 Caucus Meeting and 5/16/16 Council Meeting (Open and Closed Sessions). On motion by Zimmermann, seconded by Bartlett. Councilmen Zimmermann, Stoltz and Bartlett voted yes. Councilman Lenoy abstained on 5/16/16 and voted yes on the other ones. Councilmen Emerson and Shockley were absent.

**CORRESPONDENCE:**

None to be read.

**REPORT OF THE MAYOR:**

Mayor Lahullier mentioned to the audience that he was very happy with the overwhelming attendance on Saturday, June 18, 2016 for the Annual School Picnic and he would like to recommend to the School Picnic Committee to have it at the Lindbergh Field every year.

**SPECIAL REPORTS:**

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

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

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

**STANDING COMMITTEES:**

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

**CONSENT AGENDA**

**RESOLUTION NO. 2016-197**

**BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey, does hereby approve and ratify the Contract between Borough of Carlstadt and the Chief of Police, as amended and modified in the attached Contract, which is hereby renewed and extended for the five-year period January 1, 2017 through December 31, 2021.

**AND, BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to execute and attest to the Contract with the Chief of Police for the five year term beginning January 1, 2017 and ending December 31, 2021 in the form attached hereto.

**RESOLUTION NO. 2016-198**

**HONORING THE BERGEN VOLUNTEER CENTER ON ITS 50<sup>TH</sup> ANNIVERSARY**

**WHEREAS**, the Bergen Volunteer Center was founded in 1966 to meet community needs through the power of `volunteers. Its direct service programs organize volunteers to provide invaluable support to some of Bergen County's most vulnerable citizens. The Mentoring Youth program has recruited, trained and supervised volunteer mentors for children who have been abused or neglected; since 1978 Mentoring Youth has provided a trusted mentor to more than 3,700 children. The Mentoring Moms program recruits, trains and supervises mentors for mothers whose children are at-risk for abuse or neglect; since 1995 more than 500 mothers have been matched with a mentor. The Chore Service provides home safety repairs for senior citizens and the disabled free of

REGULAR MEETING

June 20, 2016

Page 4

charge through the volunteer efforts of senior citizens. The Business Volunteer Council organizes corporations to help eliminate hunger and illiteracy; and

**WHEREAS**, the Bergen Volunteer Center ensures that Bergen County has a pipeline of committed, civic leaders through its training programs: Bergen LEADS for adults and Teen LEADS and Ready-Set-Serve for young people. They also strengthen the nonprofit community by maintaining a database of volunteer opportunities, providing volunteer manager's training and the Expert Exchange workshops and webinars; and

**WHEREAS**, the Borough of Carlstadt has benefitted from the efforts of the Bergen Volunteer Center since 2010 in the following ways:

- 54 residents received safety repairs from the Chore Service
- 4 children received a mentor
- 3 mothers received a mentor
- 1 resident participated in Bergen LEADS; and

**WHEREAS**, residents of the Borough of Carlstadt have supported the Bergen Volunteer Center since 2010 in the following ways:

- 1 served as a Mentoring Youth mentor
- 1 served as a Mentoring Moms mentor
- 32 supported the Bergen Volunteer Center with their philanthropy

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County hereby honors the Bergen Volunteer Center for its 50 years of turning caring into action and knowing that the Bergen Volunteer Center is not getting old, it is just getting started.

**RESOLUTION NO. 2016-199**

**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	\$ 839,272.62
Regional Board of Education	\$ 528,487.67

**RESOLUTION NO. 2016-200**

**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 May, 2016 be ratified:

<u>Date</u>	<u>Ck #</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
5/18/16	154	Comm. Tr. Acct.	Carlstadt Public School	\$ 100.00
5/19/16	501119	Current	Medical	13,000.00
5/23/16	501120	Current	Suez	1,134.32
5/24/16	501121	Current	Petty Cash	710.05
5/25/16	501122	Current	Payroll	313,824.42
5/25/16	501123	Current	Carl. Vet. Fund	37,000.00
5/26/16	501124	Current	Medical	45,000.00
5/26/16	501125	Current	Payroll	17,262.70

**RESOLUTION NO. 2016-201**

**WHEREAS**, a duplicate property tax payment was made on property located at 584 Central Avenue, Carlstadt, New Jersey Block 16 Lot 11 creating a double payment on the second quarter (May) 2015 property tax installment in the amount of \$1,809.18.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Carlstadt that a refund in the amount of \$1,809.18 is approved and the Tax Collector shall adjust his records accordingly.

The overpayment refund shall be made payable to Scott Cunningham and shall be mailed to: Scott Cunningham, 584 Central Avenue, Carlstadt, New Jersey 07072.

**RESOLUTION NO. 2016-202**

**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 as per N.J.S.A.40:64-8, N.J.S.A. 40:48-2.14, N.J.S.A. 40:48-2.27; 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

REGULAR MEETING

June 20, 2016

Page 6

removal/remediation, landscaping, planting or removing trees the following charge 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
47	1	Smith-Austin, J. & R.	649 Seventh Street	\$1,000.00

The Carlstadt Tax Collector shall adjust his books accordingly.

**RESOLUTION NO. 2016-203**

**WHEREAS**, Fabian Munoz owns the property located at 564 Summit Avenue, Carlstadt, New Jersey, Block 13 Lot 1 and received a Homestead Rebate credit in the amount of \$407.83; and

**WHEREAS**, Chase Bank paid the second quarter (May) 2016 installment of taxes on Block 13 Lot 1 in a bulk payment creating an overpayment in the amount of \$407.83; and

**WHEREAS**, Chase Bank has requested the overpayment refund.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Carlstadt that a refund of \$407.83 is approved for the overpayment of 2016 second quarter (May) 2016 property taxes and the Carlstadt Tax Collector shall adjust his records accordingly.

The refund shall be made payable to Chase and shall be mailed to: Chase, Attn.: Refund Department, P.O. Box 961227, FT. Worth, TX 76161-0227.

**RESOLUTION NO. 2016-204**

**WHEREAS**, the Board of Officers has approved the membership of the following person as a regular member of the Carlstadt Fire Department:

1. Anthony Siletto – Bergen Engine Two

and

**WHEREAS**, said individual has satisfactorily passed the required physical examination.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that Anthony Siletto is hereby appointed as a regular member of the Carlstadt Fire Department.

**RESOLUTION NO. 2016-205**

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

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

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

**RESOLUTION NO. 2016-206**

**WHEREAS**, notification was received that the following handicapped parking spaces are no longer needed and should be removed from these locations:

1. 537 Union Street
2. In front of the Carlstadt Post Office

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that the Borough Clerk notify the DPW to remove the above mentioned handicapped parking spaces and that the Police Chief remove same from the certified list of handicapped parking spaces.

**RESOLUTION NO. 2016-207**

**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. 331 Madison 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. 2016-208**

**WHEREAS**, sixteen (16) applications have been filed requesting renewal of Plenary Retail Consumption Licenses; and

REGULAR MEETING

June 20, 2016

Page 8

**WHEREAS**, three (3) applications have been filed requesting renewal of 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 Hotel/Motel Exception License together with the fee of one thousand seventy-four dollars (\$1,074.00) 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 sixteen (16) applications for renewal of Plenary Retail Consumption Licenses, the three (3) applications for Plenary Retail Distribution Licenses, the one (1) application for renewal of the Hotel/Motel Exception License and the one (1) application for renewal of the Club License are hereby approved. All licenses when granted, will be effective on the First Day of July, 2016 and expire on the Thirtieth Day of June 2017; and

**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, Hotel/Motel Exception License and Club License.

**PLENARY RETAIL CONSUMPTION**

0205-33-002-007	Triple J's Bar & Grill, LLC	446 Hackensack Street
0205-33-004-001	Carlstadt Turnverein Inc.	500 Broad Street
0205-33-006-005	Wil-Dam Corp.	295 Hoboken Road
0205-33-008-008	Leekay, L.L.C.	843 Washington Avenue
0205-33-009-004	Four Spoons LLC	224 West Passaic Avenue Bloomfield, NJ 07003 (Mailing Address)
0205-33-011-003	Anthony Calandra & Luciano Calandra, Jr.	204 First Avenue, Newark, NJ 07107 (Mailing Address)
0205-33-012-011	Biggies Clam Bar Route 17 LLC	430 Route 17 South
0205-33-013-007	Il Jamra, LLC	491 Broad Street
0205-33-014-003	Palsi Corp.	317 Washington Avenue
0205-33-015-008	Grasshopper Also, Inc.	645 Washington Avenue
0205-33-016-011	335 PPR, LLC	335 Paterson Plank Road
0205-33-017-010	CJD2L Corp.	2 Palmer Terrace
0205-33-018-003	Veroli, Inc.	651 Route 17 North
0205-33-021-004	XXX Food Corp.	320 Route #17 South

0205-33-022-005	Steve's Steakhouse Inc.	620 Route 17 South
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
0205-44-010-006	Daily Deli Inc.	434 Hackensack Street
0205-44-019-007	Amrutha, LLC	675 Paterson Avenue

**HOTEL/MOTEL EXCEPTION**

0205-36-030-001	Calandra Enterprises Inc.	304 Paterson Plank Road.
-----------------	---------------------------	--------------------------

**CLUB**

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, 2016.

**RESOLUTION NO. 2016-209**

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT  
FOR PROFESSIONAL ENGINEERING SERVICES TO  
JOSEPH P. NOVELLI, P.E., LSRP**

**WHEREAS**, there exists a need for a Professional Environmental Engineer, Licensed Site Remediation Professional and Consultant in connection with the acquisition of real property through eminent domain pursuant to N.J.S.A. 20:3-1, et seq.; and

**WHEREAS**, the Mayor and Council of the Borough of Carlstadt desires to appoint and contract with Joseph P. Novelli, P.E., LSRP, LLC as environmental engineer and consultant for the purposes of providing professional environmental engineering consulting, including LSRP services; and

**WHEREAS**, Joseph P. Novelli, P.E., LSRP, LLC, 30 Gladstone Street, Forked River, NJ 08731-1065, will provide professional engineering and consultant services on an hourly basis at the rate of \$150.00 per hour for LSRP and Senior Engineer and \$90 per hour for Project Level Engineer,

REGULAR MEETING

June 20, 2016

Page 10

plus costs and expenses, during the term of this contract, said amount not to exceed \$5,000.00 during the term of the appointment; and

**WHEREAS**, the anticipated term of this appointment and retention is for one (1) year; and

**WHEREAS**, prior to execution of the contract, pursuant to N.J.S.A. 19:44A-20.26, Joseph P. Novelli, P.E., LSRP, LLC shall complete and submit a Business Entity Disclosure Certification certifying that Joseph P. Novelli, P.E., LSRP, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Carlstadt in the previous one year (January 1, 2015 – December 31, 2015) and that this appointment and retention will prohibit Joseph P. Novelli, P.E., LSRP, LLC from making any reportable contributions through the term of the appointment; and

**WHEREAS**, the Chief Financial Officer has certified that funds in an amount not to exceed \$5,000.00 are available to pay the anticipated amount of the compensation, fees and disbursement for these services; and

**WHEREAS**, the Local Public Contract Law (N.J.S.A. 40A-11-1, et seq.) requires that a Resolution authorizing the award of contracts for “professional services” without competitive bids and the contract be made available for public inspection.

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

1. The Mayor and Council hereby authorizes and approves the appointment and retention of Joseph P. Novelli, P.E., LSRP, LLC, of 30 Gladstone Street, Forked River, NJ 08731-1065 as Environmental Engineer and consultant consistent with the proposal dated February 29, 2016.

2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for professional engineering services.

3. A Business Disclosure Entity Certification and the Determination of Value are to be placed on file with this resolution.

4. The Mayor be and hereby is authorized to sign the Professional Services Agreement for environmental engineering and consulting services in the form attached hereto subject to the approval of the Borough Attorney.

5. A notice of this action shall be printed once in the official newspaper of the Borough of Carlstadt in accordance with N.J.S.A. 40A:11-5(1)(a)(I).

**Certification as to the availability of funds:**

The Chief Financial Officer/Treasurer hereby certifies that sufficient funds in the amount not to exceed \$5,000.00 are available to pay the anticipated amount of the fees and disbursement for these services.

**RESOLUTION NO. 2016-210**

**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:

**Borough Hall Caucus Room**

1. Carlstadt Soccer League – Wednesday, June 15, 2016 from 8:00 P.M. to 10:00 P.M. to have a meeting.
2. Cub Scout Leaders – Thursday, June 23, 2016 from 6:30 P.M. to 8:30 P.M. to have a meeting.
3. Berry Lawn Cemetery Association – Tuesday, June 21, 2016 at 7:00 P.M. to have a meeting.

**Borough Hall Council Chambers**

1. Citizens Advisory Group - Tuesdays, May 17, 2016 and June 7, 2016 from 6:00 P.M. to 7:30 P.M. to have a meeting.
2. Summer Recreation Director – Tuesday, June 21, 2016 from 4:30 P.M. to 6:30 P.M. for registrations and Wednesday, June 22, 2016 from 6:00 P.M. to 6:30 P.M. to have a counselors meeting.

**RESOLUTION NO. 2016-211**

**WHEREAS**, the Borough of Carlstadt has entered into a Three Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1 through June 30.

**NOW, THEREFORE BE IT RESOLVED** that the Governing Body hereby appoints Joseph Crifasi as its representative to participate on the Community Development Regional Committee; and

REGULAR MEETING

June 20, 2016

Page 12

**BE IT FURTHER RESOLVED** that David Stoltz be appointed as the alternate representative; and

**BE IT FURTHER RESOLVED** that Jane Fontana and Gregory Polyniak be appointed as additional alternate representatives.

## **RESOLUTION NO. 2016-212**

### **GRANTEE AUTHORIZING RESOLUTION**

**BE IT RESOLVED** that the Mayor and Council of Borough of Carlstadt wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$ 27,176.00 matching grant award from the 2015 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Zimmermann Park – Phase II Improvements located in Lot 1 in Block 54 on the tax maps of the Borough of Carlstadt; and

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby authorize Mayor Craig Lahullier to be a signatory to the aforesaid Contract; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about May 18, 2018; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements.

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

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

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

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

**PLANNING** – In the absence of Councilman Shockley. Councilman Stoltz read the report for the month of May. This report will be filed.

**ZONING** – In the absence of Councilman Shockley, Councilman Stoltz had no report.

**HEALTH/WELFARE** – Councilman Bartlett reported progress.

**RECREATION/HUMAN RESOURCES** – In the absence of Councilman Emerson, Councilman Lenoy read the report for the month of May. This report will be filed.

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

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

**EDUCATION** – Councilman Zimmermann read his report for the month of May. This report will be filed.

**READING OF BILLS:**

**RESOLUTION NO. 2016-212-A**

**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**

Carlstadt Public School	\$ 100.00
Stop & Shop	100.00
Econolodge	1,328.75
Valley National Bank	2,148.75
Borough of Carlstadt	200.00

REGULAR MEETING

June 20, 2016

Page 14

**DOG WARDEN TRUST**

NJ Department of Health & Senior Services 93.60

**CURRENT ACCOUNT**

ABLE TEX	450.00
ALL INDUSTRIAL – SAFETY PRODUCTS	361.98
AMERICAN PAPER & SUPPLY	102.29
ARAMARK UNIFORM SERVICES	1,136.36
ARROW ELEVATOR INC.	145.00
A.T. EMBLEM CO.	302.25
BAGEL STORE	157.50
BECKMEYER ENGINEERING PC.	611.25
BELLAQUA INC.	495.00
BERGEN MUNICIPAL EMPLOYEE	17,740.00
BERGEN COUNTY ASSOC. ASSESSORS	175.00
BEVERLY FAIST	36.00
BEYER BROTHERS CORP.	2,825.53
BLAUVELT-DOYLE REFRIGERATION	161.00
BRAEN STONE INDUSTRIES INC.	1,487.90
CARLSTADT FIRE DEPARTMENT	4,600.00
CARLSTADT BOARD OF EDUCATION	839,272.62
CHASE	407.83
CHEEMA OIL CORPORATION	3,010.37
CHEM-TEC	56.00
CHRISTOPHER GARVIN, ESQ.	400.00
CLARKE CATON HINTZ	51.00
CLARK PRINTING	590.00
CLINICAL SERVICES MGMT PC	1,669.50
CLIFFSIDE BODY CORP	2,363.69
COLANERI BROTHERS	81.70
COMCAST	1,139.89
COMFORTABLE SOLUTION	842.73
CONTINENTAL FIRE AND SAFETY	1,796.75
CORNER TO CORNER	264.99
COUNTY OF BERGEN	693.45
DELUXE SALES & SERVICE	1,642.71
DENISE KIMAK	109.95
DR. SCHORN PURNELL	355.00
DRUG-FREE ACTION ALLIANCE	414.70
DUNKIN DONUTS	76.75
EAGLE EQUIPMENT INC.	5,826.13
ENVIRONMENTAL RENEWAL LLC	2,223.00

## REGULAR MEETING

June 20, 2016

Page 15

ESSEX COUNTY COLLEGE	120.00
E-ZPASS	5.00
THE CHOI LAW GROUP LLC	3,573.96
FASTENAL	160.14
FEDEX	102.62
FIN'S MARINE	691.85
FIRE & SAFETY SERVICES	144.95
FORD CREDIT DEPT. 67-434	6,305.22
FORD MOTOR CREDIT CO. LLC	13,402.37
FOSTER AND COMPANY INC.	137.23
FRED VON BARGEN	550.00
FRONTIN, M. JOHN	836.38
GARBARINI & CO.	12,977.50
GATES FLAGS AND BANNER	444.00
GENERAL CODE PUBLISHERS	8,120.04
GRAINGER/GOVERNMENT CALL CENTER	188.23
G.T.B.M. INC.	1,844.55
HARRIS UNIFORMS	1,041.00
HEDIGER'S FUEL OIL INC.	2,638.51
HOMETOWN AUTO PARTS	235.35
HUDSON TIRE EXCHANGE	6,850.82
I.D.A.	67,062.57
IMPRESSIVE PRINTING	767.45
INDUSTRIAL ELECTRIC	1,071.00
INTERNATIONAL ASSOCIATION OF ISFSI	145.00 125.00
JCM ASSOCIATES LLC	88.99
JOSEPH CRIFASI	872.03
JOHNNY ON THE SPOT INC.	246.40
JOSHUA MARCUS GROUP	357.00
KAY PRINTING	137.01
LANGUAGE LINE SERVICE	31.81
LEXISNEXIS MATTHEW BENDER	223.74
LEXISNEXIS RISK SOLUTIONS	53.50
LJ'S CORPORATE AND PRIVATE	998.55
MARIO'S LOCKSMITH	90.96
MATTHEW BENDER & CO. INC.	532.17
MCI COMM SERVICE	155.90
MCNERNEY & ASSOCIATE	9,400.00
MEADOWLANDS HARDWARE	956.39
MEDICAL BENEFITS ACCT	195,000.00
METRO FIRE & SAFETY EQUIP.	3,157.00

REGULAR MEETING

June 20, 2016

Page 16

MGL PRINTING SOLUTIONS	656.00
MSI TECHNOLOGIES LLC	8,346.50
MUNICIPAL RECORD SERVICE	1,057.00
NARITA MARAJ LLC	4,688.75
NASA CONSTRUCTION	825.00
NEGLIA ENGINEERING ASSOCIATES	53.20
NEW YORK PARTY WORKS	3,340.00
NEXTEL COMMUNICATIONS	77.94
NICK'S TOWING SERVICE	724.20
NJ DIV. OF ALCOHOLIC BEV.	69.00
NJ STATE LEAGUE OF MUNICIPALITIES	420.00
NORTH JERSEY MEDIA GROUP INC.	1,863.62
NORTHEAST SWEEPERS LLC	989.00
OFFICE BUSINESS SYSTEMS	905.00
ORPACK VSA INC.	2,943.74
P&A AUTO PARTS	3,284.21
PACIFIC CASCADE CORP.	46.75
PARTAC PEAT CORP.	276.80
PASQUALE & DELEASA LLC	950.00
PAYROLL ACCOUNT	19,269.11
PETERS CAMERA & FRAME SHOP	256.00
PINNACLE	1,443.25
PLAID MOTORS	1,900.00
PORTER LEE CORPORATION	72.50
PRESTI, ROSARIO JR., ESQ.	1,256.49
PSE&G	15,752.39
QUALIFICATION TARGETSINC	232.00
RCM CEBERIO LLC	2,850.00
RE-TRON TECHNOLOGIES INC.	75.55
REGAL STAMP CO.	307.50
REGIONAL BOARD OF EDUCATION	528,487.67
RIEDEL SIGN CO., INC.	65.00
RITCHIE, DENNIS	5,150.00
ROBERT T. REGAN ESQ.	1,465.20
SCHUMACHER CHEVROLET	3,792.42
SCOTT CUNNINGHAM	1,809.18
SHERWIN WILLIAMS, INC.	16.87
QUALITY AUTO MALL	7,276.34
STAPLES BUSINESS ADVANTAGE	1,808.75
STATE TOXICOLOGY LABORATORY	45.00
SWIFT ELECTRICAL SUPPLY CO.	226.25
TCTA OF BERGEN COUNTY	29.00

## REGULAR MEETING

June 20, 2016

Page 17

TESSCO INCORPORATED	103.00
TETERBORO CHYRSLER JEEP	1,687.04
THE TERRE CO.	510.07
THE RADIATOR STORE INC.	552.00
TRAFFIC SAFETY & EQUIPMENT	487.50
TRUIS INC.	344.91
SUEZ WATER NEW JERSEY	12,164.15
UNUM LIFE INS. CO. OF AMERICA	1,524.32
ADPP ENTERPRISES INC.	1,375.70
VERIZON	11,906.25
V.E.RALPH & SON	45.48
VERIZON WIRELESS	1,597.07
VERIZON	175.07
WAGNER TOURS INC.	1,600.00
WALLINGTON PLUMBING SUPPLY INC,	105.44
WASTE MANAGEMENT OF NJ INC.	19,871.25
921-PRAXAIR DIST MID-ATLANTIC	260.62
WEST PAYMENT CENTER	1,177.00
WILLIAM L. REEVES	300.00
WILFRED MAC DONALD INC.	474.84
W.J. MCGROTTY LLC	29,700.00
WOOD, LAWRENCE	547.30
FIRST PRESBYTERIAN CHURCH	450.00
MEDICAL BENEFITS ACCT	22,000.00
LOWE'S BUSINESS ACCOUNT/GEMB	856.06
PAYROLL ACCOUNT	329,535.04
MEDICAL BENEFITS ACCT	43,000.00
<b>TOTAL</b>	<b>\$ 2,343,371.30</b>
<b>TOTAL BILLS FOR THE MONTH</b>	<b>\$ 2,347,342.40</b>

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

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

**REPORTS OF SPECIAL COMMITTEES:**

There were no reports of special committees.

## REGULAR MEETING

June 20, 2016

Page 18

### **UNFINISHED BUSINESS:**

Mayor Lahullier entertained a motion to have five Special Police Officers to work at the Carlstadt School Picnic on June 18, 2016. On motion by Bartlett, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to purchase flowers for the family of Reggie Preli and the family of Elizabeth Sass who passed away recently. On motion by Zimmermann, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to donate \$150.00 to the Carlstadt/East Rutherford Becton High School golf outing. On motion by Lenoy, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to hire the summer help personnel as recommended by the Recreation Committee Chair. On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to approve half of the proposal given by the Record Management Company in the amount of \$3,565.00 for the retention and destruction of Construction Department files. On motion by Stoltz, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to approve the Borough Auditor, Garbarini, P.C. to review the tax appeals. On motion by Zimmermann, seconded by Bartlett, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to open the floor for hearing of citizens. On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll of those present.

### **HEARING OF CITIZENS:**

**Barbara O'Connor, 310 Broad Street**, - thanked the Mayor and Council for the use of the DPW truck for displaying their Historical Society banner in the Memorial Day Parade.

**Irwin Fedkenheuer, 700 9<sup>th</sup> Street** – mentioned to the Mayor and Council the problems with the new flight plan that was developed by the Teterboro Airport in recent months where the planes are now flying over our houses. He asked the Mayor if Teterboro is supposed to notify the Municipalities when they make changes to their flight patterns. Mayor Lahullier said no, but he will draft a letter to the Teterboro Executive Committee asking them about the intrusion to the residential area regarding their new flight plan.

**Susan Hamilton, 565 Summit Avenue** – asked the Mayor and Council if the Police Chief’s contract is public record since is not attached to the resolution. Mayor Lahullier said yes and the Mayor emphasized that there are no changes to the contract which include no increase for the term of the contract.

**Adam Lech, 519 Madison Street** – mentioned to the Mayor and Council the ongoing problem with a neighbor property and the breeding of bees which had increased dramatically over the past year. He said this resident has approximately between twenty to thirty hives in his backyard. His concern is the lack of maintenance of the hives which he believes requires inspections and because no inspections are done these bees are propagating to resident yards and pools and recently they were spotted on the Borough Hall steps. He said he called the Borough Hall and he was directed to contact the Department of Agriculture which has been very helpful. His concern is the quality of life around this resident’s property. He asked the Mayor and Council if anything can be done in terms of ordinances regulating the amount of hives and also the maintenance. Mayor Lahullier said he is going to sit down with the Borough Legislative Research Officer to see what can be done on regulations.

**Donald Molzon, 530 Madison Street** – added to the problem with the bees he counted twenty-seven bee hives on this resident’s property. He also said he called the Department of Agriculture and they told him that he is allowed to have five bee hives in a residential area. He noticed bees migrating to different houses because the hives on his property are full. The North Bergen County Wildlife came to this resident’s house but he doesn’t know the outcome of that inspection. He emphasized to the Mayor and Council the problem in his neighborhood and how it is affecting the quality of life of all the residents around this property. The Mayor said he will contact the North Bergen County Wildlife to get the results of their inspection.

**Lucia Suarez, 438 7<sup>th</sup> Street** – on behalf of the School Picnic Committee she gave the Mayor and Council souvenirs that were left over from the picnic and thanked them for their support.

Mayor Lahullier entertained a motion to close the hearing of citizens. On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll of those present.

**CONSIDERATION OF ORDINANCES:**

None.

**MISCELLANEOUS AND NEW BUSINESS:**

None.

Mayor Lahullier entertained a motion to go into closed session at 7:20 P.M. to discuss personnel and property. On motion by Zimmermann, seconded by Lenoy, the meeting unanimously went into closed session.

REGULAR MEETING

June 20, 2016

Page 20

The meeting went back into open session at 7:50 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Zimmermann, Stoltz, Bartlett and Lenoy.

**RESOLUTION NO. 2016-213  
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT  
FOR PROFESSIONAL LEGAL SERVICES TO  
VITO A. GAGLIARDI, JR., ESQ.**

**WHEREAS**, the Governing Body has received information concerning the 2016/2017 Carlstadt-East Rutherford Regional Board of Education budget presented on May 4, 2016 and adopted at a Special Emergency Meeting on May 5, 2016; and

**WHEREAS**, the budget as adopted has a serious detrimental impact on the taxpayers of the Borough of Carlstadt as a result of an increase in the overall budget and the application of the regional funding formula apportioning the financial responsibility among the Boroughs of Carlstadt and East Rutherford; and

**WHEREAS**, the Governing Body recognizes its fiduciary duty to the taxpayers of the Borough of Carlstadt to address inequities that continue to exacerbate with the use of the regional funding formula; and

**WHEREAS**, the Governing Body has filed an objection to the 2016/2017 budget with the Superintendent of the Carlstadt-East Rutherford Board of Education and the Bergen County Interim Executive County Superintendent of the Bergen County Office of Education and has further provided notice of the intent to pursue all legal avenues available to it with regard to the budget, budget process, and application of the regional funding formula, to address the unfair and inequitable impact it has on the taxpayers of the Borough of Carlstadt; and

**WHEREAS**, the Borough of Carlstadt has a need for professional legal services pursuant to N.J.S.A. 19:44A-20.5 and desires to retain special legal counsel in connection with the Borough's issues concerning the Carlstadt-East Rutherford Regional School District funding formula and its application; and

**WHEREAS**, Vito A. Gagliardi, Jr., Esq. of the firm of Porzio Bomberg & Newman P.C., 100 Southgate parkway, Morristown, NJ 07962 has provided a proposal to undertake such evaluation of the Regional District's funding formula pursuant to the attached Agreement for Legal Services; and

**WHEREAS**, Vito A. Gagliardi, Jr., Esq., of the firm of Porzio Bromberg & Newman, P.C., 100 Southgate Parkway, Morristown, NJ 07962, will provide professional legal services on an hourly basis at the blended rate of \$335.00 for senior attorneys; \$235.00 per hour for all associate attorneys and \$135.00 per hour for paralegals, plus costs and expenses, during the term of this contract, said amount may potentially be in excess of \$17,500 during the term of the appointment; and

**WHEREAS**, the anticipated term of this appointment and retention is for one (1) year; and

**WHEREAS**, Vito A. Gagliardi, Jr., Esq., has completed and submitted a Business Entity Disclosure Certification which certifies that Vito A. Gagliardi, Jr., Esq. and the firm of Porzio Bromberg & Newman,

P.C., have not made any reportable contributions to a political or candidate committee in the Borough of Carlstadt in the previous one year (January 1, 2015 – December 31, 2015) and that this appointment and retention will prohibit Vito A. Gagliardi, Jr., Esq. and the firm of Porzio Bromberg & Newman, P.C. from making any reportable contributions through the term of the appointment; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the legal services to be rendered may exceed \$17,500; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available to pay the anticipated amount of the compensation, fees and disbursement for these services.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, hereby authorizes and approves the appointment and retention of Vito A. Gagliardi, Jr., Esq. of the firm of Porzio Bromberg & Newman, P.C. as Special Counsel for purposes of evaluating the regional district's funding formula pursuant to the attached Agreement for Legal Services; and

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value to be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** that his contract is awarded without competitive bidding as an "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for professional legal services; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be and hereby are authorized to execute the Agreement for Legal Services in the form attached hereto subject to the approval of the Borough Attorney; and

**BE IT FURTHER RESOLVED** that notice of this action shall be printed once in the official newspaper of the Borough of Carlstadt.

**Certification as to the availability of funds:**

The Chief Financial Officer/Treasurer hereby certifies that sufficient funds are available to pay the anticipated amount of the fees and disbursement for these services.

Mayor Lahullier entertained a motion to award the contract for legal services to Vito Gagliardi, Jr. Esq. pending available funds. On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to approve the Carlstadt Police Deputy Chief's salary of \$186,643 starting on July 1, 2016. On motion by Zimmermann, seconded by Bartlett, unanimous on call of roll of those present.

REGULAR MEETING

June 20, 2016

Page 22

Mayor Lahullier entertained a motion to approve the Broad Street Drainage Improvements from 10<sup>th</sup> Street to 8<sup>th</sup> Street for Neglia Engineering Professional Services in the amount of \$17,890.00 pending available funds. On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to hire the Borough Master Carpenter Daniel Carpluk full-time with medical benefits at a salary of \$25.00 per hour starting July 5, 2016. On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to approve the Broad Street Drainage Improvements from 10<sup>th</sup> Street to 8<sup>th</sup> Street) for Neglia Engineering Construction Management Services in the amount of \$16,985.00 pending available funds. On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to adjourn the meeting at 7:50 P.M. On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll of those present.

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

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