

## CAUCUS AND FINANCE MEETING

November 9, 2017

The November 2, 2017 Caucus Meeting of the Mayor and Council of the Borough of Carlstadt was rescheduled to Thursday, November 9, 2017 in the Borough Hall Caucus Room, 500 Madison Street, Carlstadt, NJ 07072 followed by the regularly scheduled Finance Meeting.

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

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

Mayor Lahullier – This meeting has been called pursuant to the Open Public Meetings Law and in accordance with Section 5 of the Open Public Meetings Act, adequate notice of this meeting having been provided in the annual notice schedule which contained the time, date and location of the meeting, copies of which were sent and advertised in the following official newspapers of Carlstadt: The Record on January 6, 2017 and the Herald News on January 6, 2017 a copy of which is on the Bulletin Board in the Borough Hall and a copy on file in the office of the Borough Clerk.

Notice of the rescheduled Caucus Meeting was published in The Record on October 30, 2017.

Robert Ceberio of RCM Ceberio, LLC read his report for the month of October and is on file in the office of the Borough Clerk.

### CONSENT AGENDA RESOLUTION NO. 2017-321

**WHEREAS**, Loftex Company paid property taxes on Two Palmer Terrace, Carlstadt, New Jersey Block 124 Lot 51 in the amount of \$66,106.05; and

**WHEREAS**, Loftex Company did not own said property and has requested their payment back; and

**WHEREAS**, Palmer Terrace Realty Assoc., owns the property at Two Palmer Terrace and pays property taxes through a management company named G.S. Wilcox and will resume paying property taxes on said property.

**NOW, THEREFORE BE IT RESOLVED** that the Carlstadt Governing Body will refund \$66,106.05 to Loftex Company and the Tax Collector shall adjust his books accordingly.

The refund shall be made payable to Loftex Company and mailed to Loftex Company, 58 West 40<sup>th</sup> Street, 10<sup>th</sup> Floor, New York, New York 10018.

**RESOLUTION NO. 2017-322**

**AWARD OF CONTRACT**

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

**LINCOLN SCHOOL DEMOLITION**

be awarded to Wildcat Enterprises, LLC, 1 No. Commerce Square, Suite 107, Robbinsville, New Jersey 08691 for the bid amount of Three Hundred Sixty-Seven Thousand Dollars and Zero Cents (\$367,000.00) (which represents the Base Bid and Alternate Bid A) being the lowest of seven bids submitted. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

**RESOLUTION NO. 2017-323**

**BOROUGH OF CARLSTADT**

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 16<sup>th</sup> Street Roadway Improvements project.

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

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2018-16<sup>th</sup> Street Roadway Improvements-00037 to the New Jersey Department of Transportation on behalf of the Borough of Carlstadt.

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

**RESOLUTION NO. 2017-324**

**WHEREAS**, a Bergen County Community Development grant of **\$267,539.25** has been proposed by **the Governing Body of the Borough of Carlstadt** for **Division Avenue Drainage & Roadway Improvements** in the **Borough of Carlstadt**; and

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

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

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

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

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

**RESOLUTION NO. 2017-325**

**WHEREAS**, an application and required fees had been timely filed requesting renewal of a pocket license in the name of Merwind Inc., Plenary Retail Consumption License #0205-33-024-005 for the 2017-2018 license term; and

**WHEREAS**, the Tax Clearance Certificate for the 2017-2018 license term has been received by the Borough Clerk from the State of New Jersey Division of Taxation for License #0205-33-024-005; and

**WHEREAS**, a Special Ruling to permit the renewal of an inactive license pursuant to N.J.S.A.33:1-12.39 for the 2017-2018 and 2018-2019 license terms for Merwind Inc., License #0205-33-024-005 (Docket No. 05-17-266) has been received by the Borough Clerk stating that the licensee has established good cause in accordance with the statutory requirements to warrant the renewal of the license for the 2017-2018 and 2018-2019 license terms.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey 07072 that the application for renewal of the pocket license in the name of Merwind Inc., Plenary Retail Consumption License #0205-33-024-005 for the 2017-2018 license term is hereby approved.

**RESOLUTION NO. 2017-326**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

**WHEREAS**, the Borough Council of the Borough of Carlstadt, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen.

**NOW, THEREFORE BE IT RESOLVED** by the Borough of Carlstadt, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Carlstadt Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR	\$	9,876
Cash Match	\$	2,469
In Kind	\$	7,407
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance audit requirements.

**RESOLUTION NO. 2017-327**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED BRIE/IPV CIMMARON NJ LLC V. BOROUGH OF CARLSTADT  
AT 585 INDUSTRIAL ROAD, BLOCK 3, LOTS 8 & 17  
FOR TAX YEARS 2013 THROUGH 2016.**

**WHEREAS**, Brie/IPV Cimmaron NJ LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 585 Industrial Road and identified on the Borough's tax maps as Block 3, Lots 8 & 17 for tax years 2013 through 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2013 for Lot 8 to be reduced from \$3,005,000 to \$2,755,000.
- 2) The assessment for tax year 2013 for Lot 17 to be reduced from \$3,295,200 to \$3,030,000.
- 3) The assessment for all other tax years for all lots to remain unchanged.

**RESOLUTION NO. 2017-328**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED LUCKY 13TH ST REALTY LLC V. BOROUGH OF CARLSTADT  
AT 326 THIRTEENTH STREET, BLOCK 110, LOT 3  
FOR TAX YEARS 2014 THROUGH 2016.**

**WHEREAS**, Lucky 13th St Realty LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 326 Thirteenth Street and identified on the Borough's tax maps as Block 110, Lot 3 for tax years 2014 through 2016; and

CAUCUS & FINANCE MEETING

November 9, 2017

Page 6

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$1,355,000 to \$1,094,100.
- 2) The assessment for tax year 2015 to be reduced from \$1,355,000 to \$1,139,800.
- 3) The assessment for tax year 2016 to be reduced from \$1,355,000 to \$1,111,900.

**RESOLUTION NO. 2017-329**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED LUCKY 13TH ST REALTY, LLC V. BOROUGH OF CARLSTADT AT 308 THIRTEENTH STREET, BLOCK 110, LOT 4 AND 300 THIRTEENTH STREET, BLOCK 110, LOT 5 FOR TAX YEARS 2014 THROUGH 2016.**

**WHEREAS**, Lucky 13th St Realty, LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 308 Thirteenth Street and identified on the Borough's tax maps as Block 110, Lot 4 and 300 Thirteenth Street, Block 110, Lot 5 for tax years 2014 through 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for Block 110 Lot 4 for tax year 2014 to be reduced from \$1,148,100 to \$924,700.
- 2) The assessment for Block 110 Lot 4 for tax year 2015 to be reduced from \$1,148,100 to \$964,000.
- 3) The assessment for Block 110 Lot 4 for tax year 2016 to be reduced from \$1,148,100 to \$939,000.
- 4) The assessment for Block 110 Lot 5 for all tax years to remain unchanged.

**RESOLUTION NO. 2017-330  
RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED 335 PPR LLC V. BOROUGH OF CARLSTADT  
AT 335 PATERSON PLANK ROAD, BLOCK 117, LOT 3  
FOR TAX YEARS 2013 THROUGH 2017.**

**WHEREAS**, 335 PPR LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 335 Paterson Plank Road and identified on the Borough's tax maps as Block 117, Lot 3 for tax years 2013 through 2017; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

CAUCUS & FINANCE MEETING

November 9, 2017

Page 8

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax years 2013 through 2016 to be reduced from \$1,853,600 to \$1,790,000.
- 2) The assessment for tax year 2017 to be reduced from \$2,229,700 to \$2,175,000.

**RESOLUTION NO. 2017-331**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED THUMANN, INC. V. BOROUGH OF CARLSTADT  
AT 670 DELL ROAD, BLOCK 123, LOT 3  
FOR TAX YEARS 2013 THROUGH 2017.**

**WHEREAS**, Thumann, Inc. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 670 Dell Road and identified on the Borough's tax maps as Block 123, Lot 3 for tax years 2013 through 2017; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and



**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax years 2013 & 2014 to be reduced from \$12,317,800 to \$10,250,000.
- 2) The assessment for tax year 2015 to be reduced from \$12,317,800 to \$10,050,000.
- 3) The assessment for tax year 2016 to be reduced from \$12,317,800 to \$10,000,000.
- 4) The assessment for tax year 2017 to be reduced from \$12,345,700 to \$11,500,000.

**RESOLUTION NO. 2017-332**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED LOUMAR ASSOCIATES/GOTHAM SG LLC V. BOROUGH OF  
CARLSTADT AT 400 GOTHAM PARKWAY, BLOCK 123.01, LOT 12  
FOR TAX YEARS 2014 THROUGH 2016.**

**WHEREAS**, Loumar Associates/Gotham SG LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 400 Gotham Parkway and identified on the Borough's tax maps as Block 123.01, Lot 12 for tax years 2014 through 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

CAUCUS & FINANCE MEETING

November 9, 2017

Page 10

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$3,838,500 to \$3,600,000.
- 2) The assessment for tax year 2015 to be reduced from \$3,838,500 to \$3,650,000.
- 3) The assessment for tax year 2016 to be reduced from \$3,838,500 to \$3,572,600.

**RESOLUTION NO. 2017-333**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED 320 PATERSON PLANK REALTY LLC V. BOROUGH OF CARLSTADT  
AT 120 PATERSON PLANK ROAD, BLOCK 124, LOT 12  
FOR TAX YEARS 2013 THROUGH 2017.**

**WHEREAS**, 320 Paterson Plank Realty LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 120 Paterson Plank Road and identified on the Borough's tax maps as Block 124, Lot 12 for tax years 2013 through 2017; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax years 2013 through 2016 to be reduced from \$2,395,900 to \$2,100,000.
- 2) The assessment for tax year 2017 to remain unchanged.

**RESOLUTION NO. 2017-334**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED AMB PROPERTY CORP. V. BOROUGH OF CARLSTADT  
AT 435 OEHLER PLACE, BLOCK 124, LOT 37  
FOR TAX YEARS 2013 THROUGH 2016.**

**WHEREAS**, AMB Property Corp. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 435 Oehler Place and identified on the Borough's tax maps as Block 124, Lot 37 for tax years 2013 through 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

CAUCUS & FINANCE MEETING

November 9, 2017

Page 12

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax years 2013 & 2014 to be reduced from \$1,767,800 to \$1,611,000.
- 2) The assessment for tax year 2016 to be reduced from \$1,767,800 to \$1,582,800.
- 3) The assessment for tax year 2015 to remain unchanged.

**RESOLUTION NO. 2017-335**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED PROLOGIS/510 COMMERCIAL LLC V. BOROUGH OF CARLSTADT  
AT 510 COMMERCIAL AVENUE, BLOCK 126, LOT 62  
FOR TAX YEARS 2014 THROUGH 2016.**

**WHEREAS**, Prologis/510 Commercial LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 510 Commercial Avenue and identified on the Borough's tax maps as Block 126, Lot 62 for tax years 2014 through 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$5,400,000 to \$5,184,700.
- 2) The assessment for tax year 2016 to be reduced from \$5,400,000 to \$5,097,800.
- 3) The assessment for tax year 2015 to remain unchanged.

**RESOLUTION NO. 2017- 336**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED ALESH & TANJA STOPAR V. BOROUGH OF CARLSTADT  
AT 111 COMMERCE ROAD, BLOCK 127, LOT 5  
FOR TAX YEARS 2014 & 2016.**

**WHEREAS**, Alesh & Tanja Stopar has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 111 Commerce Road and identified on the Borough's tax maps as Block 127, Lot 5 for tax years 2014 & 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$6,677,900 to \$6,000,000.
- 2) The assessment for tax year 2016 to be reduced from \$6,677,900 to \$6,000,000.

**RESOLUTION NO. 2017-337**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED BARELL 495 SG LLC V. BOROUGH OF CARLSTADT  
AT 551 BARELL AVENUE, BLOCK 128, LOT 23  
FOR TAX YEARS 2014 THROUGH 2016.**

**WHEREAS**, Barell 495 SG LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 551 Barell Avenue and identified on the Borough's tax maps as Block 128, Lot 23 for tax years 2014 through 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$1,695,600 to \$1,268,400.
- 2) The assessment for all other tax years to remain unchanged.

**RESOLUTION NO. 2017-338**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED BARELL 485 SG LLC V. BOROUGH OF CARLSTADT  
AT 485 BARELL AVENUE, BLOCK 128, LOT 24  
FOR TAX YEARS 2014 THROUGH 2016.**

**WHEREAS**, Barell 485 SG LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 485 Barell Avenue and identified on the Borough's tax maps as Block 128, Lot 24 for tax years 2014 through 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$1,788,200 to \$1,320,000.
- 2) The assessment for tax years 2015 & 2016 to be reduced from \$1,788,200 to \$1,560,000.

**RESOLUTION NO. 2017-339**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED BARELL 450 SG LLC V. BOROUGH OF CARLSTADT  
AT 450 BARELL AVENUE, BLOCK 129, LOT 2  
FOR TAX YEARS 2014 THROUGH 2016.**

**WHEREAS**, Barell 450 SG LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 450 Barell Avenue and identified on the Borough's tax maps as Block 129, Lot 2 for tax years 2014 through 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$1,847,300 to \$1,320,000.
- 2) The assessment for tax years 2015 & 2016 to be reduced from \$1,847,300 to \$1,523,300.



**RESOLUTION NO. 2017-340**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL  
ENTITLED BARELL 482 SG LLC V. BOROUGH OF CARLSTADT  
AT 482 BARELL AVENUE, BLOCK 129, LOT 5  
FOR TAX YEARS 2014 THROUGH 2016.**

**WHEREAS**, Barell 482 SG LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 482 Barell Avenue and identified on the Borough's tax maps as Block 129, Lot 5 for tax years 2014 through 2016; and

**WHEREAS**, the Borough Appraiser, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Tax Appeal Attorney, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, after examination and consideration of all relevant facts and after performing all necessary due diligence, is of the opinion that the settlement proposed below is in the best interest of the Borough of Carlstadt; and

**WHEREAS**, the Borough Assessor, the Borough Tax Appeal Attorney and Borough Appraiser, after independent review and upon consulting with each other, jointly recommends that this matter be settled according to the terms listed below.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Borough Tax Appeal Attorney be hereby authorized and directed to execute any and all documents necessary in order to settle this matter according to the following proposed terms:

- 1) The assessment for tax year 2014 to be reduced from \$2,620,400 to \$2,015,900.
- 2) The assessment for all other tax years to remain unchanged.

**RESOLUTION NO. 2017-341**

**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. 511 Washington Street

CAUCUS & FINANCE MEETING

November 9, 2017

Page 18

all in accordance with the requirements as stated in Chapter 10-3.10 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.

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

Mayor Lahullier introduced Neil Weisman. He represented the New York City Council and read a resolution calling upon the Port Authority of New York and New Jersey to widen the George Washington Bridge’s sidewalks. There was a discussion on this matter between the Mayor and Council members. Mayor Lahullier said we will put this on Monday to get it started.

Councilmen Stoltz and Bartlett left the meeting at 7:30 P.M. and returned at 8:45 P.M.

Mayor Lahullier entertained a motion to amend Ordinance No. 17-11. On motion by Emerson, seconded by Zimmermann, unanimous on call of roll of those present.

**CONSIDERATION OF ORDINANCES  
FINAL READING**

**ORDINANCE NO. 17-11**

**AN ORDINANCE TO AMEND ORDINANCE NO. 17-7 TO FIX AND DETERMINE THE SALARIES AND COMPENSATION OF THE SEVERAL EMPLOYEES OF THE BOROUGH OF CARLSTADT AND TO PROVIDE THE MANNER AND PAYMENT THEREOF.**

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Carlstadt, County of Bergen and State of New Jersey as follows:

**1. Ordinance No. 17-7, Section 1, Bi-Weekly is hereby amended with the addition of the following:**

**SECTION 1 Bi-Weekly**

Construction / Plumbing Code Official	\$42.80 per hour
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**2. Ordinance No. 17-7, Section 1, Bi-Weekly shall be further amended with the deletion of the following:**

Part-time Police Dispatchers (Max. 16 hrs. per week)	\$13.50 per hour
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**and replaced with the following and shall hereafter be amended to read:**

Part-time Police Dispatchers (Max. 16 hrs. per week)	\$16.00 per hour
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The remainder of Section 1 Bi-Weekly shall remain unchanged.

**3. Ordinance No. 17-7, Section 9, Longevity, Subsection 9E. DPW shall be amended to with the insertion of the words “5% after fifteen years,” and shall hereafter read as follows:**

9E. DPW – Pursuant to the current DPW contract, the longevity supplement shall be: 1% after 3 years; 2% after six years; 3% after nine years; 4% after twelve years; 5% after fifteen years; 6% after eighteen years; 7% after twenty-one years; 8% after twenty-four years; 9% after twenty-seven years and 10% after thirty years. Employees hired on or after January 1, 2017 shall not be entitled to receive longevity.

The remainder of Section 9 shall remain unchanged.

**Savings Clause.** All other provisions of Ordinance No. 17-7 shall remain in full force and effect.

**Repeal of Prior or Inconsistent Ordinance.** All ordinances or parts thereof inconsistent herewith are hereby repealed as to such inconsistency only.

**Severability.** If any section, clause, sentence or other part 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 judgment shall not affect, impair or invalidate the remainder of this Ordinance.

**Effective Date.** This Ordinance shall take effect immediately upon passage and publication as required by law.

Mayor Lahullier entertained a motion to open this ordinance to a hearing of citizens.  
On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll of those present.  
Mayor Lahullier asked if any citizen wished to be heard on this ordinance.  
Mayor Lahullier said to let the record note there are no citizens to speak on this ordinance.  
Mayor Lahullier entertained a motion to close this ordinance to a hearing of citizens.  
On motion by Zimmermann, seconded by Emerson, unanimous on call of roll of those present.

**RESOLUTION NO. 2017-342**

**BE IT RESOLVED** that the ordinance entitled:

**AN ORDINANCE TO AMEND ORDINANCE NO. 17-7 TO FIX AND DETERMINE THE SALARIES AND COMPENSATION OF THE SEVERAL EMPLOYEES OF THE BOROUGH OF CARLSTADT AND TO PROVIDE THE MANNER AND PAYMENT THEREOF.**

CAUCUS & FINANCE MEETING

November 9, 2017

Page 20

heretofore introduced, does now pass on final reading as amended and the Borough Clerk is hereby authorized and directed to publish said ordinance according to law.

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

**FIRST READING**

**ORDINANCE NO. 17-12**

**AN ORDINANCE TO AMEND CHAPTER IV “SCHEDULE OF FEES,” SECTION 4-7 ENTITLED “FEES PAID TO FIRE OFFICIAL,” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002**

**NOW, THEREFORE BE IT ORDAINED** by the Governing Body of the Borough of Carlstadt, County of Bergen and State of New Jersey, that Chapter VI, entitled “SCHEDULE OF FEES,” Section 4-7 entitled “FEES PAID TO FIRE OFFICIAL,” Subsections 4-7.1 and 4-7.3 be and hereby are deleted in their entirety and shall be and hereby be amended, supplemented and replaced with following:

**CHAPTER IV SCHEDULE OF FEES**

**4-7 Fees Paid to Fire Official.**

**4-7.1 Fire Prevention Code**

<b>Permit fees</b>	<b>Fee</b>
Type 1	\$ 54.00
Type 2	\$214.00
Type 3	\$427.00
Type 4	\$641.00

**4.7.1 Smoke Detector and Carbon Monoxide Inspection Certificate \$50**

**Savings Clause.** All other sections of Chapter IV, Section 4-7 shall remain unchanged and in full force and effect.

**Repeal of Prior or Inconsistent Ordinances.** All ordinances or parts thereof inconsistent herewith are hereby repealed as to such inconsistency only.

**Severability.** If any section, clause, sentence or other part 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 judgment shall not affect, impair or invalidate the remainder of this Ordinance.

**Effective Date.** This Ordinance shall take effect immediately upon passage and publication as required by law.

**RESOLUTION NO. 2017-343**

**BE IT RESOLVED** that the ordinance entitled:

**AN ORDINANCE TO AMEND CHAPTER IV “SCHEDULE OF FEES,” SECTION 4-7 “ENTITLED FEES PAID TO FIRE OFFICIAL,” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002**

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 7<sup>th</sup> day of December, 2017 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 considered for final passage.

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

Mayor Lahullier entertained a motion to approve a dish garden for the family of Rosanna DiLemme. On motion by Lenoy, seconded by Shockley unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to approve expenses and Special Police Officer for Tree Lighting on December 7, 2017 at 6:30 P.M.

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

Bruce Young, Zoning Code Enforcement Officer, mentioned to the Mayor and Council that we are having problems with landscapers who are blowing leaves and grass into the street. This has to be addressed. There was a discussion on this matter.

Mr. Young also mentioned basement apartments are beginning to appear again in the Borough. This also has to be addressed.

Paul Conti and Gaetano Marra, 12 Patricia Court talked about the problem with parking. There was a lengthy discussion on this matter with Joseph Crifasi, DPW Operations Manager, who addressed the matter with some solutions to the problem. Lines can be put down to designate a parking space and signage explaining the parking.

Mayor Lahullier said this all has to be done by ordinance and also to figure out what the signage will be. We will also have to address this in the winter with snow.

Sara Grable, 423 Fourth Street was in attendance and addressed the Mayor and Council about parking. She has no driveway and her neighbor has a handicapped space in front of her home.

## CAUCUS & FINANCE MEETING

November 9, 2017

Page 22

The people who have driveways don't park in their driveways and we are getting cars from people who don't live on the street. There are eight cars from Hackensack Street parking on Fourth Street. Mayor Lahullier said there is no way we will assign a parking space for a house. We cannot do this because everyone will want that for their house. Mayor Lahullier said we could paint lines on the street so people will park correctly to have room for people to park.

Mayor Lahullier went over correspondence that was received. Kim Koziel who works in the Construction/Zoning Office is requesting permission to carry over to 2018 any of her unused vacation days. This is in the event of an unexpected situation that may occur. She understands the days should be used no later than March 31, 2018.

The Mayor and Council decided that five days can be carried over and has to be used by the end of March 2018. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll of those present.

Mayor Lahullier said a letter was received from Lisa Arsi who is a Standby Crossing Guard. Due to health and other personal reasons she is unable to take her post and therefore is resigning from her position. She thanked the Mayor and Council for the opportunity to work as a Standby Crossing Guard.

Mayor Lahullier said with regrets we will accept her resignation.

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

Mayor Lahullier said correspondence was received from Danica Petric who is a Crossing Guard. She has served as a Crossing Guard for over twenty-eight years. She thanked the Mayor and Council and the staff at Borough Hall. She is resigning from her post.

Mayor Lahullier said with regrets we will accept her resignation.

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

Mayor Lahullier said correspondence was received from Jeannette Troncone. She is with Allegro Arts Academy and has twelve dancers that can perform at the Tree Lighting. They are currently setting up their holiday events. She is asking to know the time they can be allocated and who they should coordinate with.

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

### **COUNCILMAN WILLIAM SHOCKLEY**

He said this isn't official until March but Chris DiLemme will be resigning from the Soccer League. There is a lot to get in order and he specifically asked me to let you all know. He has done an outstanding job.

### **COUNCILMAN JAMES LENOY**

He had nothing to discuss at this time.

### **COUNCILMAN ROBERT ZIMMERMANN**

He had nothing to discuss at this time.

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

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

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

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

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

Mayor Lahullier entertained a motion to go into closed session at 8:40 P.M. On motion by Zimmermann, seconded by Shockley, the meeting unanimously went into closed session.

The meeting went back into open session at 9:42 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Zimmermann, Stoltz, Bartlett, Lenoy, Emerson and Shockley.

Mayor Lahullier asked for a motion to hire John Wejsa, Code Enforcement Officer for thirty-five hours a week starting December 1, 2017 at his current rate of pay. On motion by Stoltz, seconded by Lenoy, unanimous on call of roll.

Mayor Lahullier entertained a motion to adjourn the meeting at 9:45 P.M. On motion by Bartlett, seconded by Stoltz, the meeting was unanimously adjourned.

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

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