

CAUCUS MEETING

June 6, 2019

A REGULAR SCHEDULED CAUCUS MEETING of the Mayor and Council of the Borough of Carlstadt was held in the Caucus Room of the Borough Hall, 500 Madison Street, Carlstadt, New Jersey on Thursday, June 6 at 7:03 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. Councilman Joseph Emerson arrived at 7:13 P.M. and Councilman William Roseman arrived at 7:27 P.M.

Mayor Lahullier led all present in the Pledge of Allegiance to the Flag.
Mayor Lahullier asked everyone to remain standing to remember D Day.

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 5, 2019 and the Herald News on January 5, 2019 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.

Gregory Polyniak of Neglia Engineering read his report regarding projects that are being done in the Borough of Carlstadt, a copy of which is in the office of the Borough Clerk.

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

Susan Cassell, Esq. attended representing massage therapy applicants for Route 17 Spa Inc., 711 Route 17 North, Carlstadt, N.J. 07072. She mentioned that she was contacted by them in April and that there was a problem with having too many extension cords which was a fire hazard. She contacted the Construction Official, Frank Recanati and arranged a reinspection after the extension cords were removed and it was found to be satisfactory. Then there was a criminal case dealing with three people that were employed at the spa and was told that that the Mayor and Council was not going to consider their applications until after the criminal case was determined. They had originally applied in January 2018 but was told the applications were pending with no resolution. Three of the employees were arrested for soliciting prostitution. Jane Fontana, Legislative Research Officer, spoke regarding this situation which went into a lengthy discussion. Ms. Cassell asked what can be done to get this back on tract. Mayor Lahullier replied that the applications would be denied as a result of the Police Department investigations and that this wasn't the kind of a wholesome business that was wanted in the Borough.

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**CONSENT AGENDA
RESOLUTION NO. 2019-131**

WHEREAS, an application for renewal of a Massage Therapy Technician/Practitioner License has been submitted by Jing Yu Jin of 127 Columbia Avenue, # C5, Palisades Park, NJ 07650; and

WHEREAS, Jing Yu Jin has simultaneously submitted an application for a Massage Therapy Establishment License for Route 17 Spa Inc. - 711 Rt. 17 North, Carlstadt, NJ 07072; and

WHEREAS, based on the investigation of the Carlstadt Police Department the requirements of Code Section 6-15 have not been satisfied and the Mayor & Council decline to approve the issuance of a Massage Therapy Technician/Practitioner License to Jing Yu Jin or a Massage Therapy Establishment License for Route 17 Spa Inc. - 711 Rt. 17 North, Carlstadt, NJ pursuant to Borough Ordinance 6-15.3 e.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, that the application of Jing Yu Jin for issuance of a renewal Technician/Practitioner License to practice Massage Therapy from the Borough of Carlstadt be and hereby is **DENIED**.

AND, BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, that the application of Jing Yu Jin for issuance of a Massage Therapy Establishment License for Route 17 Spa Inc. - 711 Rt. 17 North, Carlstadt, NJ from the Borough of Carlstadt be and hereby is **DENIED**.

RESOLUTION NO. 2019-132

WHEREAS, an application for a Massage Therapy Technician/Practitioner License has been submitted by Hwang Lee, In Sim of 457 Lawn Avenue, Unit B, Palisades Park, NJ 07650; and

WHEREAS, based on the investigation of the Carlstadt Police Department the requirements of Code Section 6-15 have not been satisfied and the Mayor and Council decline to approve the issuance of a Massage Therapy Technician/Practitioner License to Hwang Lee, In Sim pursuant to Borough Ordinance 6-15.3 e.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, that the application of Hwang Lee, In Sim for issuance of a Technician/Practitioner License to practice Massage Therapy from the Borough of Carlstadt be and hereby is **DENIED**.

RESOLUTION NO. 2019-133

**BOROUGH OF CARLSTADT
Bergen County, New Jersey**

**RESOLUTION AUTHORIZING EXECUTION OF
MEMORANDUM OF UNDERSTANDING
WITH HOUSING DEVELOPMENT CORPORATION
OF BERGEN COUNTY FOR
SENIOR AFFORDABLE HOUSING**

WHEREAS, the Borough of Carlstadt is the owner in Fee Simple of certain land designated as Block 55, Lots 9 and 10 on the Tax Map of the Borough of Carlstadt, commonly known as 512 Seventh Street in the Borough of Carlstadt; and

WHEREAS, it is the intention of the Mayor and Council of the Borough of Carlstadt to utilize this property for affordable senior housing purposes; and

WHEREAS, the Housing Development Corporation of Bergen County will construct and manage an affordable senior housing project on the property which will be made available for such purpose under a long-term lease from the Borough of Carlstadt; and

WHEREAS, the Mayor and Council has determined that the Housing Development Corporation of Bergen County, the non-profit real estate development arm of the Housing Authority of Bergen County, is a governmental entity that will utilize the property for this public purpose; and

WHEREAS, the Mayor and Borough Council is desirous of entering a Memorandum of Understanding with Housing Development Corporation of Bergen County setting forth the terms and conditions between the Borough and Housing Development Corporation for the construction and management of a senior affordable housing facility on Block 55, Lots 9 and 10 in the form attached hereto.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the Mayor be and hereby is authorized to execute the Memorandum of Understanding with the Housing Development Corporation of Bergen County for the construction and management of the subject property in the form attached hereto as approved by the Borough's COAH Counsel.

RESOLUTION NO. 2019-134

**AUTHORIZING A CONTRACT WITH HASBROUCK HEIGHTS
TO USE THE HASBROUCK HEIGHTS PISTOL RANGE**

WHEREAS, N.J.S.A. 40A:65-1, et seq., the Shared Services Act of 2007, authorizes agreements among municipalities and other State Agencies for the provision of services to one of them that the other is empowered to provide within its own jurisdiction; and

WHEREAS, the Borough of Carlstadt seeks the use of the pistol range used by the Hasbrouck Heights Police Department for the training of and practice by officers of the Carlstadt Police Department and seeks to contract with the Borough of Hasbrouck Heights to provide for the same;

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

1. There is hereby authorized an agreement with the Borough of Hasbrouck Heights for the use of the pistol range used by the Hasbrouck Heights Police Department for the training of and practice by officers of the Carlstadt Police Department, all under the control of the Chief of Police of the Borough of Hasbrouck Heights or his designee. The term of said agreement shall be for the calendar years of 2019 through 2023 and the said agreement may be extended annually thereafter for additional calendar years as herein after provided upon the agreement of the parties to do so by mutual resolutions adopted prior to the termination.
2. In consideration of such service the Borough of Carlstadt will pay to the Borough of Hasbrouck Heights the annual sum of \$2,986.00 for the year of 2019. Thereafter, if extended as herein provided, the said annual sums shall be increased each calendar year over that payable for the prior year at a rate equal to the Cap Rate as established by the Division of Local Government Services of the State of New Jersey for the new year but nevertheless at a rate of no less than 2.5% and all as is more specifically set forth in detail in the said contract.
3. Nothing contained herein shall be construed to grant to any officers or officials of the Borough of Carlstadt any control or direction over any officials or personnel of the Borough of Hasbrouck Heights or obligate the Borough of Hasbrouck Heights to acquire any new or additional facilities or equipment or otherwise incur any additional cost or expense except as it may be so obligated in relation to the operation or maintenance of the facility in connection with its use by the Police Department of the Borough of Hasbrouck Heights.

4. The more specific terms of said agreement shall be as deemed suitable to the Borough of Carlstadt and Chief of Police and the form thereof shall be subject to approval by the Borough Attorney; upon the determination thereof, the appropriate officers and officials be and are hereby authorized and directed to execute the same.
5. A copy of the said agreement, upon execution, shall be placed on file in the office of the Borough Clerk and shall be available for inspection during the regular business hours thereof.

RESOLUTION NO. 2019-135

**RESOLUTION AUTHORIZING CHANGE ORDER N^o 1 FOR
2016 Drainage Project – 455 Sixteenth Street (NJEDA Funded)**

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of the Borough Capital Improvements Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: 2016 Drainage Project – 455 Sixteenth Street (NJEDA FUNDED)

CONTRACTOR: Collonelli Brothers, Inc.

CHANGE ORDER No.: 1

AMOUNT OF CHANGE THIS RESOLUTION: (+0.00) Increase: 0.00% (Time Extension)

This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 2019-136

**RESOLUTION AUTHORIZING CHANGE ORDER N^o 2 FOR
Additional work due to site conditions during construction**

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of the Borough Capital Improvements Engineer that the Change Order for the Contract listed below be and is hereby approved.

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TITLE OF JOB: 2016 Drainage Project – 455 Sixteenth Street (NJEDA FUNDED)

CONTRACTOR: Collonelli Brothers, Inc.

CHANGE ORDER No.: 2

AMOUNT OF CHANGE THIS RESOLUTION: (+\$166,556.36) Increase: 19.99%

This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

On motion by Zimmermann, seconded by Emerson, Councilmen Zimmermann, Stoltz, Bartlett Emerson and Roseman voted yes, Councilman Lenoy voted yes but abstained on Resolution No. 2019-133.

Mayor Lahullier entertained a motion to ratify Special Police Officers for four at the Memorial Day Parade on May 27, 2019, one for the Primary Election on June 4, 2019 and one for movie night at the Little League Field on June 7, 2019. On motion by Stoltz, seconded by Bartlett, unanimous on call of roll.

Mayor Lahullier entertained a motion to ratify two dish gardens for Karl Ross and Denise Oehlmann. On motion by Bartlett, seconded by Stoltz, unanimous on call of roll.

Mayor Lahullier entertained a motion to ratify four DPW summer helpers to work as needed after Memorial Day. On motion by Stoltz, seconded by Emerson, unanimous on call of roll.

Mayor Lahullier said we also have the summer help list. Councilman Emerson said he and Joseph Crifasi, DPW Operations Manager, met and discussed the master list. He went into a lengthy discussion on this. The summer workers will be wearing a yellow shirt and also have a badge to wear for summer recreation.

It will only be for five weeks instead of six weeks. We did budget for six weeks.

Councilman Emerson made a motion to hire the summer help from the list that was presented, seconded by Stoltz, unanimous on call of roll.

Mayor Lahullier mentioned the First Presbyterian Church is requesting to have the Third Street side of the church between Central Avenue and Division Avenue closed. The date is Sunday, June 23, 2019 for their 150th church picnic. The time would be 10:30 A.M. to 4:30 P.M.

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

Mayor Lahullier said we have another request from Christopher Shahin, 306 Center Street, Carlstadt, NJ. He is asking permission to hold a block party on Saturday, July 6, 2019, rain date Saturday, July 13, 2019. The party would start at 12:00 P.M. and run until 11:00 P.M. The party would be held on the dead end section of Center Street. Mayor Lahullier said the party can only go to 10:00 P.M. Joseph Crifasi said we were asked this last year. The street is not owned by us, it is owned by Wood-Ridge. It has to be approved by the Borough of Wood-Ridge and he will have to call the Borough of Wood-Ridge.

Mayor Lahullier said the time of the Council Meeting for Monday, June 17, 2019 has been changed from 7:00 P.M. to 6:00 P.M. for the purpose of presenting the Recycling Poster Contest Awards to students in Pre-k through 8th grade.

Gunter Kuprat, 507 Washington Street, brought up some issues with the new house that is being built next to where The Balcony was. Mayor Lahullier also had issues with regards to this house because this house does not fit our ordinances. He wants to see the documentation and the ordinances.

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

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

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

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

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

Mayor Lahullier entertained a motion to go into closed session at 8:25 P.M. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll.

The meeting went back into open session at 9:15 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Zimmermann, Stoltz, Bartlett, Lenoy, Emerson and Roseman.

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Mayor Lahullier entertained a motion to approve the amount of \$5,000.00 for repairs to the Becton bus that the town was given. On motion by Stoltz, seconded by Emerson, unanimous on call of roll.

Mayor Lahullier entertained a motion to ratify four Special Police Officers for the Parade on May 27, 2019, one for the Primary Election on June 4, 2019, one for movie night at the Little League Field on June 7, 2019 and one for all the summer concerts. On motion by Bartlett, seconded by Emerson, unanimous on call of roll.

RESOLUTION NO. 2019-137

WHEREAS, Chief Thomas Nielsen has advised the Borough of Carlstadt of his intent to retire from the Carlstadt Police Department effective June 30, 2019; and

WHEREAS, the pension laws of the Police and Firemen Retirement System states that a party is eligible for retirement after serving twenty-five years in the system; and

WHEREAS, Chief Thomas Nielsen is contractually entitled to a one-year period of terminal leave to commence July 1, 2019 and has requested and been approved to receive a lump sum payable 50% on July 1, 2019 and 50% on January 1, 2020 in recognition of his more than forty years of dedicated service to the Borough of Carlstadt; and

WHEREAS, Chief Thomas Nielsen is entitled to receive life-time health benefits pursuant to contract for himself and his spouse and is exempt from any contributions from his pension benefit for that continued health benefit coverage.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that the retirement of Chief Thomas Nielsen effective June 30, 2019, be and hereby is accepted.

AND, BE IT FURTHER RESOLVED that the Payroll Clerk and Chief Financial Officer are hereby directed and authorized to pay to Chief Thomas Nielsen terminal leave equal to one year salary in a lump sum to be paid 50% on July 1, 2019 and 50% on January 1, 2020, together with any other amounts that may be due to him upon separation from service.

AND, BE IT FURTHER RESOLVED that in recognition of the past service of Chief Thomas Nielsen that upon retirement he will be permitted to retain his service weapons, a Glock Model 27, Serial # VNG386 and Glock Model 42, Serial # ABEP742.

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Mayor Lahullier entertained a motion to approve the bus driver for summer recreation. On motion by Emerson, seconded by Stoltz, unanimous on call of roll.

Mayor Lahullier entertained a motion to adjourn the meeting at 9:23 P.M. On motion by Bartlett, seconded by Zimmermann, the meeting was unanimously adjourned.

APPROVED: _____
CRAIG LAHULLIER, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK