

CAUCUS MEETING
April 7, 2016

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, April 7, 2016 at 7:30 P.M.

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

Fire Chief D'Amico told the Mayor and Council their inspection/memorial services will be May 21, 2016 at 5:00 P.M. at Memorial Park and the inspection will follow at the firehouse. After the Memorial Day Parade on Monday, May 23, 2016 they will be having a barbeque downstairs. Everyone is welcome as well as their families. He also mentioned that Larry Wood will be in the Fire Department 50 years on May 22, 2016. The Chief was hoping we could get a plaque for him and perhaps present it to him at the April Council Meeting.

Gregory Polyniak of Neglia Engineering read his report for the month regarding projects that are being done in the Borough of Carlstadt.

Mayor Lahullier said as far as the ambulance goes he feels we should have Neglia Engineering prepare bid documents for the new ambulance. On motion by Lenoy, seconded by Emerson, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to approve another code enforcement computer tablet for the Police Department to issue tickets. On motion by Emerson, seconded by Shockley, unanimous on call of roll of those present.

Donald Molzon from the Senior Housing Committee wanted to know if the new senior housing is going to happen. Mayor Lahullier said as far as he knows Robert Benecke had to rework the finances. This was because originally we were putting in 1.3 million dollars a year that we were not sending to the Meadowlands. Do to the unforeseen circumstances of tax appeals, we still have the 1.3 million in the bank that we can sign over to RPM whenever they get started. If they need more than 1.3 million dollars in the year 2016, we are going to have to take out a note to make sure we can still pay it. The reason we are doing this is because we were hit this year with 6.2 million dollars in tax appeals. This is after we just paid for a re-evaluation to a company that was to re-evaluate everything.

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So we have to pay that back. The best way and economical way to do this was discussed with the bond attorney, the auditor and Robert Benecke. What was said was you can't earmark the 1.3 million dollars this year. If we don't need to spend more than that, we are okay in 2016. We may have to take notes out. They had to change the financial agreement and the developer's agreement that says we don't have all the money in the bank. Mayor Lahullier said to Dennis Ritchie, Borough Attorney and Joseph Crifasi, Operations Manager that he wants to sign a developer's agreement by the end of April 2016.

**CONSENT AGENDA
RESOLUTION NO. 2016-117**

**RESOLUTION AUTHORIZING THE BOROUGH OF CARLSTADT TO EXECUTE A
LOAN PROMISSORY NOTE, SUBRECIPIENT AGREEMENT AND RELATED LOAN
DOCUMENTS FOR THE AMOUNT OF \$3,453,414.87 WITH THE NEW JERSEY
ECONOMIC DEVELOPMENT AUTHORITY FOR THE PURPOSE OF VARIOUS
ROADWAY AND DRAINAGE IMPROVEMENTS WITHIN THE BOROUGH OF
CARLSTADT**

WHEREAS, the New Jersey Economic Development Authority (the "Authority"), is an independent State Agency organized pursuant to N.J.S.A. 34:1B-1 et. seq. that provides financing for a variety of projects and businesses including financing for the revitalization of communities through redevelopment initiatives; and

WHEREAS, the Authority offers a variety of loan programs, including one program known as the Stronger New Jersey Neighborhood Community Revitalization Program Development and Public Improvement ("NCR D & I") which can be utilized for public improvements, inclusive of roadway improvements, drainage improvement inclusive of the reconstruction of outfalls and installation of backflow preventers and related expenses; and

WHEREAS, the Borough of Carlstadt, (the "Borough") has a need for roadway, drainage and related improvements on the following Borough roads: Kero Road, Jomike Court, Barell Avenue, Eastern Way, Starke Road and 455 16th Street hereinafter identified as the "Project"; and

WHEREAS, the Borough has made application to the Authority for financing of roadway, drainage and related improvements for the above named Project pursuant to the NCR D & I program; and

WHEREAS, the Authority has reviewed the Borough's application and (1) has determined that the eligibility requirements of the loan program have been met; (2) approved the application of the Borough for a NCR D & I loan in the maximum amount of up to \$3,453,415.87 to finance roadway improvements, drainage improvements including but not limited to reconstruction of various outfalls and installation of backflow preventers and other construction related expenses; and

WHEREAS, the Authority has presented a Commitment Letter to the Borough and General Terms and Condition of Lending document to the Borough for a conditional 24 month zero interest loan in the amount of \$3,453,415.87; and

WHEREAS, the Authority has also presented to the Borough a Loan Promissory Note issued pursuant to the "Local Bond Law", P.O. 1960, c 169, as amended (N.J.S.A. 40A:2-1 et. seq.) and the Stronger Neighborhood Community Revitalization Program Development and Public Improvement Sub-recipient Agreement; and

WHEREAS, the Mayor and Council have reviewed the terms of the Loan Promissory Note and the Sub-recipient Agreement and are satisfied with same and approval of the loan will be in the furtherance of the public good; and

WHEREAS, the Borough has, along with the Loans Funds, sufficient resources to complete the Project and understands that the funds for the Project shall be expended within the time period set forth in said loan documents; and

WHEREAS, the Chief Financial Officer hereby certified that sufficient funds are available to meet the Boroughs obligations, if necessary.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council hereby:

1. Approve the form of the Loan Promissory Note, Sub-recipient Agreement and other Loan Documents.
2. Authorize the Mayor and Clerk to execute, attest and otherwise deliver the Loan Promissory Note, Sub-recipient Agreement and other Loan Documents as may be otherwise required in order to close said loan.
3. Authorize that the Mayor and Council take any such actions to consummate the transactions set forth in the Sub-recipient Agreement documents.
4. Authorize the Mayor and Council to take all steps which may be required to undertake and complete the project outlined in the Sub-recipient Agreement documents.
5. Authorize that the Mayor and Council hereby undertake the execution and delivery of all other certificates, agreements, documents and instruments in connection with the execution, attestation and delivery of the Loan Documents.

RESOLUTION NO. 2016-118

RESOLUTION AUTHORIZING THE BOROUGH OF CARLSTADT TO ENTER INTO A SERVICE AGREEMENT WITH THE CARLSTADT SEWERAGE AUTHORITY

WHEREAS, the Borough of Carlstadt, a municipal corporation of the State of New Jersey with offices located at 500 Madison Street, Carlstadt, New Jersey (hereinafter "Carlstadt") and the Carlstadt Sewerage Authority is a public body corporate and politic of the State of New Jersey organized under the Sewerage Authorities Law, as amended,, with offices located at 429 Hackensack Street, Carlstadt, New Jersey (hereinafter "Authority"); and

WHEREAS, Carlstadt has a sewerage vacuum truck in which it contracts out to outside entities for use; and

WHEREAS, the Authority is in need of a sewer vacuum truck to maintain its sewer lines and perform routine and emergency maintenance; and

WHEREAS, Carlstadt has offered to provide a sewer vacuum truck to the Authority on terms and conditions as set forth in the attached Memorandum of Understanding (hereinafter the "Agreement"); and

WHEREAS, entering into such an Agreement with the Authority for the use of a sewer vacuum truck is done as a means to reduce local expenses for Carlstadt residents; and

WHEREAS, the governing body of the Borough of Carlstadt deem it to be in the best interests of the people in their community to enter into such a shared services agreement for street sweeping services.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt as follows:

1. The terms and conditions of the attached agreement with the Authority are hereby approved, ratified and confirmed.
2. The Chief Financial Officer of the Borough of Carlstadt certifies that there are funds available for this expenditure.
3. The Mayor is hereby authorized to execute the attached Agreement with the Authority for the use of the sewer vacuum truck and to take such actions as may be required in order to effectuate the terms of the Agreement including but not limited to the execution of the Agreement with the Authority.
4. This Resolution shall take effect immediately.

RESOLUTION NO. 2016-119

**RESOLUTION AUTHORIZING THE RECOVERY OF EMERGENCY SERVICES
LENGTH OF SERVICE AWARD CONTRIBUTIONS PAID IN EXCESS OF THE
STATUTORY LIMIT**

WHEREAS, the State of New Jersey enacted N.J.S.A. 40A:14-185 which provides for a local government unit that is a county or municipality in which a fire district does not exist, to enact by ordinance the establishment, by ordinance, a length of service award program for the active volunteer members of the emergency service organization operating under the county's or municipality's jurisdiction; and

WHEREAS, the Borough of Carlstadt enacted an ordinance establishing a LOSAP program which is codified as Section 2-38 of the Revised General Ordinances of the Borough of Carlstadt, 2002; and

WHEREAS, the New Jersey Office of the State Comptroller has recently prepared an Investigative Report and has identified a number of weaknesses in local oversight of LOSAP programs; and

WHEREAS, in response to the State Comptroller's finding, the New Jersey State Legislature has introduced a bill to clarify a number of aspects of the administration of local LOSAP programs, including the clarification that qualifying volunteers shall only have a single account, even if the volunteer serves in multiple emergency service organizations with the local governmental unit; and

WHEREAS, the Borough of Carlstadt, as a participating LOSAP local unit, will have to seek the return of any contributions made in excess of the statutory limit on contributions.

NOW, THEREFORE BE IT RESOLVED by the governing body that the Borough of Carlstadt hereby authorizes and instructs all volunteers who have received LOSAP benefits in excess of the statutory limits on such contributions to return same to the Borough in accordance with the above mandate.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Borough of Carlstadt hereby also authorizes all such future actions which may be necessary to recover said excess contributions including the garnishment of future contributions and, if necessary, initiating an action in the Superior Court, after written notice, against individuals who received contributions in excess of the limit.

RESOLUTION NO. 2016-120

WHEREAS, UNO Limousine Service, Inc. operating from 417 Hackensack Street, Carlstadt, NJ 07072 has made application to the Borough of Carlstadt for the renewal of one (1) limousine license; and

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application of UNO Limousine Service, Inc. to renew one (1) limousine license from 417 Hackensack Street, Carlstadt, NJ 07072 be and hereby is approved for VIN # 22962.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the renewal license to operate one (1) limousine at the above referenced location for the period of one year, commencing April 8, 2016 and ending on April 8, 2017 and a Certificate of Compliance with the requirements of N.J.S.A. 48:16-14 and 16, through the period indicated on the proof of insurance as submitted with the application.

RESOLUTION NO. 2016-121

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

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application of Pegasus Transport Service, Inc. to renew one (1) limousine license at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved for VIN # 22113.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the renewal of the one (1) limousine license at the above referenced location for the period of one year, commencing April 8, 2016 and ending on April 8, 2017 and a Certificate of Compliance with the requirements of N.J.S.A. 48:16-14 and 16, through the period indicated on the proof of insurance as submitted with the application.

RESOLUTION NO. 2016-122

RESOLUTION-PREPARATION OF ESTIMATED TAX BILLS

WHEREAS, the Governing Body has determined that there will be insufficient cash flow to support operations in late July 2016 unless third quarter revenue is received on time; and

WHEREAS, the Tax Collector, Chief Financial Officer, Domenick Giancaspro and Borough Auditor Paul Garbarini have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54: 4-66.3.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Carlstadt, County of Bergen, State of New Jersey, hereby authorizes that:

1. The Tax Collector is directed to prepare and issue estimated tax bills for the Borough of Carlstadt for third quarter 2016, in accordance with the provisions of N.J.S.A. 54: 4-66.2 et seq.
2. The estimated tax levy for 2016 is hereby set at \$43,616,493.21 and an estimate tax rate of 0.02118.
3. The Tax Collector takes any additional steps necessary to immediately implement this Resolution.
4. On the advice of the Tax Collector, Chief Finance Officer and Borough Auditor should the need to process Estimated Tax Bills not be required then said Estimated Tax Bills will not be processed.

RESOLUTION NO. 2016-123

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that permission is granted to the following for the use of facilities on the specified dates:

Community Center

1. Cub Scouts – Fridays, April 1 and 8, 2016 from 6:30: P.M. to 9:00 P.M. to have a meeting.

Borough Hall Council Chambers

1. Carlstadt Little League – Friday, April 8, 2016 from 6:00 P.M. to 8:00 P.M. for team pictures.

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

CONSIDERATION OF ORDINANCES

FINAL READING

ORDINANCE NO. 16-5

AN ORDINANCE TO FIX AND DETERMINE THE SALARIES AND COMPENSATION OF THE SEVERAL OFFICERS AND EMPLOYEES OF THE BOROUGH OF CARLSTADT, AND TO PROVIDE THE MANNER AND PAYMENT THEREOF, REVISED TO 2016.

Mayor Lahullier entertained a motion to open this ordinance to a hearing of citizens.

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

RESOLUTION NO. 2016-124

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE TO FIX AND DETERMINE THE SALARIES AND COMPENSATION OF THE SEVERAL OFFICERS AND EMPLOYEES OF THE BOROUGH OF CARLSTADT, AND TO PROVIDE THE MANNER AND PAYMENT THEREOF, REVISED TO 2016.

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

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

Mayor Lahullier entertained a motion to approve the Turn Hall music permit. On motion by Lenoy, seconded by Bartlett, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to ratify the sale of the 1980 Mauldin Roller and 1981 Muller Cement Mixer for \$600.00. On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to approve two Special Police Officers for the Little League Parade on Saturday, April 9, 2016. On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Lahullier went over the correspondence that was received.

Mayor Lahullier entertained a motion to approve the amount of \$4,000.00 for umpire fees for Little League. On motion by Emerson, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to approve the same golf donation we gave last year for this year's golf tournament sponsored by the Carlstadt Education Association. On motion by Lenoy, seconded by Emerson, Councilmen Bartlett, Lenoy, Emerson and Shockley voted yes. Councilman Zimmermann abstained and Councilman Stoltz was absent.

COUNCILMAN RICHARD BARTLETT

On May 21, 2016 the Fire Department is having their Fire Department Memorial Service at 5:00 P.M. at Memorial Park followed by the Inspection at the Jefferson Street Firehouse.

COUNCILMAN WILLIAM SHOCKLEY

He had nothing to discuss at this time.

COUNCILMAN JAMES LENOY

He mentioned the weather is going to be bad on Saturday for the Little League Parade. It was decided to have the parade on Sunday.

The background check for the seventeen people involved with sports is going very well.

COUNCILMAN ROBERT ZIMMERMANN

He had nothing to discuss at this time.

COUNCILMAN JOSEPH EMERSON

He had nothing to discuss at this time.

JOSEPH CRIFASI – OPERATIONS MANAGER

He was asked by Zoning and the Building Department to bring up the issue that was brought up last year on registering and putting into an ordinance that landscapers need to register with the Construction Department the same way all other contractors do. Each year you get landscapers that work for homeowners and they blow grass and leaves onto the street. Zoning and Construction gave him sample ordinances from Rutherford and Hackensack and it actually covers landscapers in the summer and snowplowers in the winter. This ordinance is basically asking that we require landscapers and commercial snowplowers provide their license and insurance and register as a contractor. Mr. Crifasi would like the Borough Attorney, Dennis Ritchie to see these sample ordinances and draw up something similar for us.

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Mayor Lahullier said that everyone has a copy of the balance report on what we are spending. Those who had signed vouchers tonight, Mayor Lahullier said he no longer expects finance to be signing off on everything and is not going to hand them to finance if they are not signed. If they are not signed, they are not going to get paid. He wants everybody that is in charge of their department to know what they are spending and be aware of where we are as far as our balances for the year. Unless it is an emergency spending that you need at the end of the year, he doesn't expect to run over budget. Bring it to our attention at a Finance Meeting and we will discuss it.

Mayor Lahullier entertained a motion to go into closed session at 8:40 P.M. to discuss insurance and personnel. On motion by Bartlett, seconded by Shockley, unanimous on call of roll of those present.

The meeting went back into open session at 10:40 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Zimmermann, Bartlett, Lenoy, Emerson and Shockley.

RESOLUTION NO. 2016-125

Support to Deny Parole for Christopher Righetti

WHEREAS, on August 31, 1976, Kim Montelaro, a resident of New Milford, Bergen County, then 20 years old, was forcibly abducted, brutally assaulted and murdered by repeat offender, Christopher Righetti; and

WHEREAS, Christopher Righetti, Prisoner # 59431, is currently incarcerated for the killing of Kim Montelaro; and

WHEREAS, Christopher Righetti has gone many times before the Parole Board of Northern State Prison. His release was denied each time, as the parole board found that Christopher Righetti was unwilling to take responsibility for abducting, assaulting and murdering Kim Montelaro; and

WHEREAS, Christopher Righetti has never shown any remorse for his crime and has made no substantial progress in addressing the issues that led him to murder Kim Montelaro and has demonstrated a substantial risk for recidivism; and

WHEREAS, Kim's family should not be made to relive this horrible crime every few years when there is a parole hearing. They are forced to travel long distances from their current residence in Florida each time there is a parole hearing for their daughter's killer. They continue to suffer unnecessarily on Christopher Righetti's account; and

WHEREAS, in addition to the efforts of the Montelaro Family, the Mayor and Council of the Borough of Carlstadt hereby supports the position that Christopher Righetti should not be granted parole and should serve out the full remainder of his life sentence. If a future eligibility date is set,

we urge the Board to select a date at least 35 years from now. The abduction, rape and murder of an innocent young woman is a serious crime that demands justice; and the family of Kim Montelaro should be given the peace of mind of knowing that their daughter's murderer will remain behind bars for the rest of his life, as ordered by the court.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt hereby abides by the conclusion that Christopher Righetti be denied parole and be made to serve out his life sentence, otherwise this creates a grave injustice to the family of Kim Montelaro as well as to society.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Bergen County Police Chiefs Association, the New Jersey PBA, the Office of the Bergen County Prosecutor, Keep NJ Safe, and to Chairman James T. Plousis of the New Jersey State Parole Board.

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

FIRST READING

**ORDINANCE NO. 16-8
(Introduced, Not Published, Not Adopted)**

**AN ORDINANCE AMENDING CHAPTER II "ADMINISTRATION,"
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT,
2002, CREATING AND ESTABLISHING THE POSITION
OF ECONOMIC DEVELOPMENT COORDINATOR IN AND FOR THE BOROUGH OF
CARLSTADT**

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Carlstadt that **Chapter II** of the revised Ordinance of 1975 entitled "**Administration**" is hereby amended and supplemented to add the following:

I. 2-42 ECONOMIC DEVELOPMENT COORDINATOR

2-42.1 CREATION OF OFFICE.

There is hereby created in and for the Borough of Carlstadt the position of Economic Development Coordinator.

2-42.2 APPOINTMENT.

The Economic Development Coordinator shall be appointed by the Mayor as a full-time position with the advice and consent of the Council, including the filling of any vacancy in the office, which

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shall be for unexpired term only. The Economic Development Coordinator shall report to the Borough Operations Manager on all matters except where requested or assigned by task of the Mayor/Governing Body.

2-42.3 QUALIFICATIONS.

The Economic Development Coordinator, prior to appointment, shall possess a Bachelor's degree from an accredited college or university or shall have demonstrated experience in the areas of written communications, social media, government affairs and project management and administration.

2-42.4 COMPENSATION.

The Economic Development Coordinator shall receive as salary such sums as may be fixed and adopted by the Governing Body in the annual salary ordinance of the Borough.

2-42.5 POWERS AND DUTIES.

The Economic Development Coordinator shall serve as a liaison to the business community as well as handle internal and external communications on behalf of the Borough.

The Economic Development Coordinator shall specifically:

- a) Represent the Borough on matters relating to the business community and assist in efforts to promote the Borough to attract new businesses
- b) Maintain the Borough's website and social media accounts
- c) Identify and facilitate grant opportunities and applications for Borough and related agencies and organizations
- d) Develop and coordinate community event planning
- e) Develop and coordinate production of newsletters and community information
- f) Serve as a deputy project manager to the Borough Operations Manager as assigned
- g) Perform assignments/projects as assigned by the Mayor/Governing Body.
- h)

II. SEVERABILITY

In any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remain portions of this Ordinance.

III. INCONSISTENT ORDINANCES

Any Ordinance inconsistent with this Ordinance is repealed, but only to the extent of such inconsistencies.

IV. EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication pursuant to law.

RESOLUTION NO. 2016-126

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE AMENDING CHAPTER II “ADMINISTRATION,” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, CREATING AND ESTABLISHING THE POSITION OF ECONOMIC DEVELOPMENT COORDINATOR IN AND FOR THE BOROUGH OF CARLSTADT

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 5th day of May, 2016 at 7:00 o’clock P.M. or as soon thereafter as the matter can be reached, at the regular meeting place of the Carlstadt Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be, and she hereby is, authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

FIRST READING

ORDINANCE NO. 16-7
(Introduced, Not Published, Not Adopted)

AN ORDINANCE AMENDING CHAPTER II “ADMINISTRATION,” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, CREATING AND ESTABLISHING THE POSITION OF BOROUGH OPERATIONS MANAGER IN AND FOR THE BOROUGH OF CARLSTADT

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Carlstadt that **Chapter II** of the revised Ordinance of 1975 entitled “**Administration**” is hereby

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amended and supplemented to add the following:

I. 2-41 BOROUGH OPERATIONS MANAGER

2-41.1 CREATION OF OFFICE.

There is hereby created in and for the Borough of Carlstadt the position of Borough Operations Manager.

2-41.2 APPOINTMENT.

The Borough Operations Manager shall be appointed by the Mayor as a full-time position with the advice and consent of the Council, including the filling of any vacancy in the office, which shall be for unexpired term only.

2-41.3 QUALIFICATIONS.

The Borough Operations Manager, prior to appointment, shall possess a Bachelor's degree from an accredited college or university and shall further be chosen on the basis of executive and administrative qualifications, with special reference to education, training, and experience in governmental affairs.

2-41.4 COMPENSATION.

The Borough Operations Manager shall receive as salary such sums as may be fixed and adopted by the Governing Body in the annual salary ordinance of the Borough.

2-41.5 POWERS AND DUTIES.

The Borough Operations Manager shall be the chief administrative Manager of the Borough and shall be responsible to the Council as a whole for the proper and efficient administration of the affairs of the Borough.

The Borough Operations Manager shall have the following powers and duties:

- (A) Provide for the enforcement of all laws and ordinances within the Borough
- (B) Assist in creation of and approve the agenda for and attend all meetings of the Council and attend all meetings of the Borough except those from which the Mayor and Council

determined that attendance is not required because of a conflict or other reason. The Borough Operations Manager shall have the right to take part in the discussion on all matters coming before the Council, but shall have no right to vote. The Borough Operations Manager shall be entitled to notice of all special and regular meetings of the Council.

- (C) Recommend to the Council such measures as, in his or her judgment, he or she deems to be in the best interest of the Borough.
- (D) Propose to the Mayor and Council such personnel rules and regulations as the Borough Operations Manager deems necessary to manage the Borough personnel. These rules may cover procedures and policies to govern the following:
 - (1) The administration of the position description, classification and pay plans;
 - (2) Assistance with recruitment, selection, promotion, evaluation, transfer, discipline and separation of Borough personnel;
 - (3) Establishment of hours of work, attendance, leave regulations and working conditions;
 - (4) Maintenance and use of necessary records and forms;
 - (5) System of handling all grievances.
- (E) Assist with the collective bargaining processes of the Borough and recommend to the Mayor and Council collective bargaining agreements for consideration and approval by the Council, and administer all employee organization contracts reached through the collective bargaining process.
- (F) Direct, supervise and coordinate the activities of all departments, offices, and agencies of the Borough, except as otherwise provided by law, and to administer the affairs of the Borough to ensure that all Borough business is accomplished efficiently and economically.
- (G) Recommend to the Council the creating, consolidating, and combining of offices, positions, departments or units of the administrative and executive departments of the Borough.
- (H) Assist CFO and Finance Committee in preparing and submitting to the Mayor and Council a recommended annual budget for operations and recommended capital programs; and administer the approved budget after adoption.
- (I) Evaluate Borough projects, programs, agreements, equipment and services and make recommendations on modifications and improvements thereto.
- (J) Devote his or her entire time to the discharge of his or her official duties.
- (K) The Borough Operations Manager shall perform such other duties as may be required by the Council consistent with state statutes and the ordinances of the Borough.

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- (L) Hold such other appointive offices as may be consistent with law, as the Mayor/Governing Body may determine, and to faithfully and honestly discharge the duties and powers associated with such office.
- (M) The powers assigned to the Borough Operations Manager are not intended to diminish those powers otherwise assigned to other Managers by statute or ordinance, including, but not limited to the Mayor and Council.

II. SEVERABILITY

In any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remain portions of this Ordinance.

III. INCONSISTENT ORDINANCES

Any Ordinance inconsistent with this Ordinance is repealed, but only to the extent of such inconsistencies.

IV. EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication pursuant to law.

RESOLUTION NO. 2016-127

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE AMENDING CHAPTER II “ADMINISTRATION,” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, CREATING AND ESTABLISHING THE POSITION OF BOROUGH OPERATIONS MANAGER IN AND FOR THE BOROUGH OF CARLSTADT

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 5th day of May, 2016 at 7:00 o'clock P.M. or as soon thereafter as the matter can be reached, at the regular meeting place of the Carlstadt Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk be, and she hereby is, authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

Mayor Lahullier asked that we consider the hiring of Jane Fontana at the cost of \$100,000.00 a year as the Legislator Research Officer and seeks Council approval. On motion by Zimmermann, seconded by Bartlett, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion for the position of the park security inspector, Michael Frees and seeks Council approval for a cost of \$3,000.00 a year. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to give the supplement benefits to the partner of Domenick Giancaspro and seeks Council approval. On motion by Emerson, seconded by Shockley, unanimous on call of roll of those present.

Mayor Lahullier said we need to approve Nicholas Murphy to work for the Zoning Department as a Code Enforcement Officer in the amount of \$26,000.00 plus benefits. His hours will be from 8:30 A.M. to 4:30 P.M. This will be subject to a medical clearance approval and a background check. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll of those present.

Councilman Bartlett mentioned that Larry Wood will be with the Fire Department 50 years this year. Councilman Bartlett said Chief D'Amico wanted to know if we could present him with a plaque on April 18, 2016 at the Council Meeting as that was the actual date he went onto the department.

Councilman Bartlett motioned to approve a plaque for Larry Wood's 50th Anniversary, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to adjourn the meeting at 10:55 P.M. On motion by Bartlett, seconded by Zimmermann, the meeting was unanimously adjourned.

APPROVED: _____
CRAIG LAHULLIER, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK