

**CAUCUS MEETING  
December 7, 2017**

**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, December 7, 2017 at 7:25 P.M.

Mayor Craig Lahullier asked Claire Foy, Borough Clerk to call the roll: Mayor Craig Lahullier, Councilmen Robert Zimmermann, David Stoltz, Richard Bartlett, James Lenoy and Joseph Emerson were present. The resignation of Councilman William Shockley was effective December 4, 2017.

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.

Gregory Polyniak of Neglia Engineering read his report for the month of October regarding projects that are being done in the Borough of Carlstadt and is on file in the office of the Borough Clerk.

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

Joseph Crifasi, DPW Operations Manager mentioned that there is a warehouse on Industrial Road where excess Borough equipment can be stored.

Mayor Lahullier entertained a motion for excess Borough equipment to be stored in the warehouse on Industrial Road with P.I.A. to be contacted for insurance purposes.

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

**CONSENT AGENDA**

**RESOLUTION NO. 2017-360**

**A RESOLUTION CANCELING \$ 800,000 OF RESERVE FOR  
SENIOR HOUSING**

**WHEREAS**, a Reserve for Senior Housing was set up in the Current Fund which was initially funded by an appropriation in the 2015 Budget to fund the purchase of property and demolition of Lincoln School in the amount of \$1,339,007; and

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**WHEREAS**, it was determined that \$800,000 of the \$1,339,700 Reserve will not be utilized; and

**WHEREAS**, it is necessary to formally cancel \$800,000 of the Reserve to Fund Balance in the Current Fund.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that \$800,000 of the above Reserve will not be needed and be canceled and credited to Fund Balance in the Current Fund.

**RESOLUTION NO. 2017-361**

**RESOLUTION AUTHORIZING CHANGE ORDER No. 1 FOR THE  
2016 ROADWAY PROJECTS (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 Roadway Projects (NJEDA Funded)

**CONTRACTOR:** Smith-Sondy Asphalt Construction Corp.

**CHANGE ORDER No.:** 1

**TIME EXTENSION No.:** Date of Completion: November 30, 2017 or Addition of 140  
calendars days

**AMOUNT OF CHANGE TO DATE:** (+\$0.00) Increase: 0.00%

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

**RESOLUTION NO. 2017-362**

**WHEREAS**, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for one new limousine license; and

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

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, County of Bergen, State of New Jersey that the application of Pegasus Transport Service, Inc. to operate one new limousine license at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved for VIN#91806 nunc pro tunc.

**AND, BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized and directed to issue the license to operate one new limousine at the above referenced location for the period of one year, commencing December 1, 2017 and ending on December 1, 2018 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. 2017-363**

**WHEREAS**, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for the renewal of two (2) limousine licenses; 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 two (2) limousine licenses at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved for VIN # 09013 and #95019 nunc pro tunc.

**AND, BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized and directed to issue the renewal of the two (2) limousine licenses at the above referenced location for the period of one year, commencing December 1, 2017 and ending on December 1, 2018 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. 2017-364**

**WHEREAS**, there exists a need for the Borough of Carlstadt Health Department to provide state mandated health services of a technical and professional nature for the Blood Borne Pathogens Compliance Program; and

**WHEREAS**, the Bergen County Department of Health Services can assure compliance in accordance with P.E.O.S.H.A. as follows: Exposure Control Plan Development; Policies and Procedures; Training Programs; and Record/Report Generation and Retention and billing support documentation; and

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**WHEREAS**, the Bergen County Department of Health Services has agreed to provide public health services through a contract agreement with the Borough of Carlstadt, Department of Health for the calendar years 2018 and 2019; and

**WHEREAS**, the fee is to be in an amount not to exceed \$2,600.00 per annum for training and purchase of the vaccine under State Contract based on \$64.00 per vaccination and funds will be available for this purpose; and

**WHEREAS**, it has been certified that this meets the statutes and regulations concerning the award of said contract.

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

1. That Mayor Craig Lahullier is hereby authorized and directed to execute an agreement with the Bergen County Department of Health Services to perform public health services of a professional nature for the Bloodborne Pathogens Program for the period January 1, 2018 through December 31, 2019 at a cost not to exceed \$2,600.00 per annum for training and purchase of the vaccine under State Contract based on \$64.00 per vaccination; and
2. This contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(2); and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer has certified, in accordance with N.J.A.C. 5:30 14.5 that sufficient legally appropriated funds will be available for this purpose subject to appropriation of funds in the 2018 and 2019 temporary and/or adopted budgets.

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

**CONSIDERATION OF ORDINANCES**

**FINAL 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**

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

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

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 wished to be heard.

Mayor Lahullier entertained a motion to close this ordinance to a hearing of citizens.  
On motion by Bartlett, seconded by Lenoy, unanimous on call of roll.

**RESOLUTION NO. 2017-2017-365**

**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 final reading and the Borough Clerk is hereby authorized and directed to publish said ordinance according to law.

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

**FINAL READING**

**ORDINANCE NO. 17-14**

**AN ORDINANCE AMENDING CHAPTER X "TRAFFIC", SECTION 10-3 "PARKING" 10-3.2 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS" AND SECTION 10-3.11 PERMIT PARKING, SUBSECTION 10-3.11 8(B) ENTITLED "EXEMPTIONS" OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002**

Mayor Lahullier entertained a motion to open this ordinance to a hearing of citizens.  
On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll.

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 wished to be heard.  
Mayor Lahullier entertained a motion to close this ordinance to a hearing of citizens.  
On motion by Bartlett, seconded by Emerson, unanimous on call of roll.

**RESOLUTION NO. 2017-366**

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

**AN ORDINANCE AMENDING CHAPTER X "TRAFFIC", SECTION 10-3 "PARKING" 10-3.2 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS" AND SECTION 10-3.11 PERMIT PARKING, SUBSECTION 10-3.11 8(B) ENTITLED "EXEMPTIONS" OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002**

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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 Zimmermann, seconded by Bartlett, unanimous on call of roll.

**FIRST READING**

**ORDINANCE NO. 17-13**

**AN ORDINANCE AMENDING CHAPTER V “POLICE REGULATIONS,” SECTION 5-12 “PARKS AND RECREATION AREAS” OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002**

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of Carlstadt that **Chapter V “POLICE REGULATIONS”, Section 5-12 entitled PARKS AND RECREATION AREAS”** of the Revised General Ordinances of the Borough of Carlstadt, 2002 is hereby amended as follows:

**Chapter V. Police Regulations**

**5-12. Parks and Recreation Areas**

**1. Subsection 5-12.2 Prohibited Acts shall be amended as follows:**

(i)

Subparagraph d. shall be amended by the deletion of the words “except in the grills that have been provided for that purpose.”

(ii)

Subparagraph j. shall be deleted in its entirety and replaced with the following:

j. No person shall operate, use or bring into any park any skate board, rollerblades, roller skates, scooters, go-carts, bicycle, tricycle, or similar device, motorized or self-propelled, when there is a borough sanctioned event in progress.

(iii)

Subparagraph l. shall be amended by adding the words “by the Borough” at the end of the sentence.

(iv)

Subparagraph n. shall be amended by deletion of the words “excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers).”

Subparagraph n. 1. “FEED” shall be amended by deleting the words “legal taking of fish and/or game or the” in the second sentence.

Subparagraph n. 2. (a) shall be amended by deletion of the words “and as otherwise provided for in Subsection 5-12.6.”

(v)

Subparagraph 5-12.3 Permit Required for Group Use shall be amended by removing the word “for” in the first sentence and replacing it with the work “from”.

All other provisions of Section 5-12.2 Prohibited Acts shall remain unchanged and in full force and effect.

## **2. Subsection 5-12.4 Hours of Operation**

(vi)

Subsection b. shall be deleted in its entirety and replaced with the following:

b. Playgrounds. Except for an unusual or unforeseen emergency, Stepanek Park, located on Washington Street, and the two playgrounds located at Second and Broad Streets and Ninth Street shall be open to the public every day of the year from dawn to dusk. A sign shall be posted in each individual park for public information as to such opening and closing.

(vii)

Subsection c. shall be deleted in its entirety and replaced with the following:

c. Lindbergh Field. Utilization of Lindbergh Field at any time from 9:00 a.m. to 10:00 p.m. shall be by permit as set forth in Subsection 12-5a. Utilization beyond 10:00 p.m. shall require permission from the Governing Body. Permit holders shall have first preference in utilization of the field.

(viii)

Subsection d. shall be deleted in its entirety and replaced with the following:

d. Basketball Court. The basketball courts located at Stepanek Park on Washington Street and Ninth Street shall be open to the public from 9:00 a.m. to 9:00 p.m. A sign shall be posted in each individual basketball court for public information as to such opening and closing. Permit holders shall have first preference in utilization of the courts.

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(ix)

Subsection 5-12.4 Hours of Operation shall be further amended and supplemented with the addition of subparagraph f. "Park Areas," which shall hereafter read as follows:

f. Park Areas.

Village Green - The park area located at the Village Green (Broad Street between Third and Fourth Streets), shall be open to the public every day of the year.

Zimmermann's Park – The park area located at Zimmermann's Park (6<sup>th</sup> Street, including Woods Hill), shall be open to the public every day of the year from dawn to dusk. Under no circumstances shall the park area be utilized by any person after dusk, except by special permission of the Governing Body.

All other provisions of Section 5-12.4 Hours of Operation shall remain unchanged and in full force and effect.

**3. Section 5-12.5 Permits shall be amended as follows:**

(x)

Subparagraph e. shall be amended by deletion of the words "Superintendent of Streets" and insertion of the words "Governing Body" in its place.

All other provisions of Section 6-12.5 Permits shall remain unchanged and in full force and effect.

**4. Section 6-12. 6 Enforcement shall be amended as follows:**

(xi)

Subparagraph 5-12.6 Enforcement shall be amended by deletion of the words "The Recreation Committee Chairperson and members" and "the Superintendent of Streets and such other person or persons as shall be designated by the Borough" in the first sentence, which shall hereafter read: "The Police Department shall:"

All other provisions of Section 5-12.6 Permits 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.

**Savings Clause.** All other provisions of Chapter V, Police Regulations shall remain unchanged and in full force and effect.

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

**RESOLUTION NO. 2017-367**

**AN ORDINANCE AMENDING CHAPTER V “POLICE REGULATIONS,” SECTION 5-12 “PARKS AND RECREATION AREAS” OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002**

heretofore introduced, does now pass on firsts reading, and that said ordinance be further considered for final passage at a meeting to be held on the 18<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 further considered for final passage.

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

Mayor Lahullier entertained a motion to approve a Special Police Officer for Saturday, December 9, 2017 from 7:00 A.M. to 5:00 P.M. for the CVAC Vendor Fair at the Carlstadt Public School.

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

Mayor Lahullier entertained a motion to approve New Year’s Day expenses.

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

Mayor Lahullier entertained a motion to approve a dish garden for the family of Victor Gardella.

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

Mayor Lahullier entertained a motion to approve a plaque for Danica Petric, retired after twenty-eight years as a School Crossing Guard.

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

Mayor Lahullier entertained a motion to reaffirm the floating holiday for 2018 which would be a half day on December 24, 2018 and a half day on December 31, 2018.

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

Mayor Lahullier entertained a motion to accept the resignation of Linda Kuprat from the Library Board of Trustees.

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

Mayor Lahullier entertained a motion to approve \$200.00 for the 2018 Carlstadt Public School yearbook booster.

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

Mayor Lahullier entertained a motion to approve the request from Sovereign Medical Services, Inc. 630 Broad Street, Carlstadt, N.J. to hang two 3' x 20' temporary banners on their building for three to six months beginning January 2018.

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

Mayor Lahullier entertained a motion to accept the resignation of Councilman William Shockley effective December 4, 2017 for the reason that he relocated to Connecticut.

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

Mayor Lahullier entertained a motion to approve a Special Police Officer for the recreation basketball games.

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

Mayor Lahullier said we received a letter from the Carlstadt Senior Friendship Club asking to use the town bus to attend their Christmas Party on December 12, 2017 at the Fiesta in Wood-Ridge, N.J. and a bus driver.

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

**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 follow 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 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 8:23 P.M. On motion by Zimmermann, seconded by Lenoy, unanimous on call of roll.

The meeting went back into open session at 10:03 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Zimmermann, Stoltz, Bartlett, Lenoy and Emerson.

Mayor Lahullier entertained a motion to have a background check done for a substitute bus driver. On motion by Bartlett, seconded by Emerson, unanimous on call of roll.

Mayor Lahullier entertained a motion to have an appraisal done by McNerney on the Green Acres material. On motion by Lenoy, seconded by Emerson, unanimous on call of roll.

Mayor Lahullier entertained a motion to adjourn the meeting at 10:05 P.M. On motion by Bartlett, seconded by Emerson, unanimous on call of roll.

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

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