

**CAUCUS MEETING  
March 3, 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, March 3, 2016 at 7:05 P.M.

In the absence of Mayor Craig Lahullier, Council President David Stoltz asked Claire Foy, Borough Clerk to call the roll: Councilmen Robert Zimmermann, David Stoltz, Richard Bartlett, James Lenoy and William Shockley were present. Councilman Joseph Emerson arrived at 7:10 P.M. Mayor Craig Lahullier was absent.

Council President Stoltz led all present in the Pledge of Allegiance to the Flag.

Council President Stoltz – 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.

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

**CONSENT AGENDA  
RESOLUTION NO. 2016-81**

**WHEREAS**, the Borough of Carlstadt has identified the needs for the construction of a 40 foot x 60 foot concrete pad at the Department of Public Works yard; and

**WHEREAS**, the Borough of Carlstadt solicited bids from qualified contractors and received five submissions; and

**WHEREAS**, the Borough of Carlstadt officials reviewed the bids for price and qualifications; and

**WHEREAS**, Pasquale and Deleasa of Carlstadt, NJ submitted the lowest qualified bid of \$24,000; and

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, accepts the bid of \$24,000 submitted by Pasquale and Deleasa for the identified services; and

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

**RESOLUTION NO. 2016-82**

**WHEREAS**, the Borough of Carlstadt is interested in taking advantage of the savings and efficiencies opportunities provided by clean energy solutions where appropriate; and

**WHEREAS**, the Borough of Carlstadt has identified the roof of the Public Works Building as a potential location for such a project; and

**WHEREAS**, the Borough of Carlstadt understands that a solar array at the Public Works Building would provide 85% of the electricity demand for that location with a savings of \$90,000 over 15 years; and

**WHEREAS**, Public Contracts Law requires a formal Request for Proposal to solicit a Solar Power Purchase Agreement to undertake such a project; and

**WHEREAS**, the Borough of Carlstadt does not have the experience or knowledge of the subject matter and has solicited proposals from qualified companies to ensure the project is conducted properly; and

**WHEREAS**, Settembrino Architects has provided a proposal for a scope of work to analyze the Public Works building roof for load capacity and other requirements, prepare a Request for Proposals for Solar PPA Companies and analyze bid submissions and make recommendations.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey, accepts the scope of work from Settembrino Architects of Red Bank, NJ for the amount of \$9,500; and

**BE IT FURTHER RESOLVED** that the \$9,500 will be reimbursed to the Borough by the successful PPA contractor upon PPA contract execution; and

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

**RESOLUTION NO. 2016-83**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt that the Carlstadt Volunteer Ambulance Corps. be granted permission to hold two raffles at the Carlstadt Community Center, 424 Hackensack Street (4<sup>th</sup> Street entrance), Carlstadt, NJ 07072 on Saturday, April 30, 2016 for which the applications, fees and findings and determination sheets shall be forwarded to the Legalized Games of Chance Control Commission.

**RESOLUTION NO. 2016-84**

**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 date:

**Community Center**

1. Cub Scouts – Fridays, March 4 and 11, 2016 from 6:30 P.M. to 9:00 P.M. to have a meeting.
2. Carlstadt Recreation Committee – Saturday, March 19, 2016 from 9:00 A.M. to 11:00 A.M. for Breakfast with the Easter Bunny.
3. Carlstadt Volunteer Ambulance Corps. – Saturday, April 30, 2016 from 5:00 P.M. to 11:00 P.M. to have a Beefsteak Dinner.

**RESOLUTION NO. 2016-85**

**RESOLUTION TO ADVERTISE FOR BIDS**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of the Borough Engineer, Gregory J. Polyniak, Neglia Engineering Associates that the plans & specifications for:

**BID FOR GARBAGE DISPOSAL  
BOROUGH OF CARLSTADT  
BERGEN COUNTY, NEW JERSEY**

are hereby approved and the Borough Clerk is hereby authorized to advertise for bids. This Resolution to take effect immediately.

**RESOLUTION 2016-86**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Carlstadt that a handicapped parking space is hereby approved at the following locations:

1. 341 Broad Street
2. 431 Madison Street

all in accordance with the requirements as stated in Ordinance No 97-14 and with the recommendation of the Police Chief of the Carlstadt Police Department.

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**BE IT FURTHER RESOLVED** that said locations shall be added to the certified list of designated handicapped parking spaces.

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

**CONSIDERATION OF ORDINANCES**

**FINAL READING**

**ORDINANCE NO. 16-2**

**BOROUGH OF CARLSTADT**

**CALENDAR YEAR 2016**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)**

Council President Stoltz entertained a motion to open this ordinance to a hearing of citizens.

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

Council President Stoltz asked if any citizen wished to be heard on this ordinance.

Council President Stoltz said to let the record note there are no citizens to speak on this ordinance.

Council President Stoltz entertained a motion to close this ordinance to a hearing of citizens.

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

**RESOLUTION NO. 2016-87**

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

**BOROUGH OF CARLSTADT**

**CALENDAR YEAR 2016**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

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

**ORDINANCE NO. 16-3**

**AN ORDINANCE AMENDING SCHEDULE XIV OF SECTION 10-8 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002 ENTITLED "BUS STOPS"**

Council President Stoltz entertained a motion to open this ordinance to a hearing of citizens.  
On motion by Bartlett, seconded by Zimmermann, unanimous on call of roll.  
Council President Stoltz asked if any citizen wished to be heard on this ordinance.  
Council President Stoltz said to let the record note there are no citizens to speak on this ordinance.  
Council President Stoltz 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. 2016-88**

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

**AN ORDINANCE AMENDING SCHEDULE XIV OF SECTION 10-8 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002 ENTITLED "BUS STOPS"**

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

**FIRST READING**

**ORDINANCE NO. 16-4**

**AN ORDINANCE AMENDING CHAPTER XII ENTITLED "BUILDINGS AND CONSTRUCTION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, SECTION 12-7 ENTITLED "SWIMMING POOLS"**

**WHEREAS**, the Governing Body is desirous of protecting the health, safety and welfare and the general public; and

**WHEREAS**, the Consumer Product Safety Commission reports that approximately 280 children under the age of 5 drown in pools each year nationwide with an average 12 deaths per year associated with inflatable pools; and

**WHEREAS** the Governing Body has been made aware of the growing popularity of inflatable pools and is concerned with the dangers associated with inflatable pools, and is therefore desirous of taking action to address this concern.

**NOW, THEREFORE BE IT ORDAINED** that the Mayor and Council of the Borough of Carlstadt Chapter XII entitled "Buildings and Construction" of the Revised General Ordinances of the Borough of Carlstadt, 2002, Section 12-7, entitled "Swimming Pools" is revised and supplemented as follows:

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**Section 12-7.1 - General** - is deleted and replaced as follows:

**Section 12-7.1 - General** - Swimming and bathing pools, inclusive of inflatable pools, shall conform to the requirements of this Section. For the purposes of this Section, pools are classified as private swimming pools or public swimming pools, as defined in Section 12-7.2. Material and constructions used in swimming pools shall comply with the applicable requirements of this Section.

**Section 12.7.2 Definitions** - *Private Swimming Pool* - is deleted and replaced as follows:

**Section 12-7.2 Definitions** - *Private Swimming Pool* - Private Swimming Pool: Any structure that contains water which is used, or intended to be used, for swimming or recreational bathing which is available only to the family and guest of the householder. This includes in-ground, above ground, on-ground, and inflatable swimming pools, hot tubs and spas.

1. All other provisions of Chapter XII "Building and Construction" shall remain in full force and effect.

**2. Repealer.** Ordinance 15-8 and all Ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

**3. Severability.** If any provisions of this Ordinance are found to be invalid for any reason, by the final judgment of a Court of competent jurisdiction, the invalidity of such portions shall not affect the remaining provisions of the Ordinance, which shall be severable therefrom.

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

**RESOLUTION NO. 2016-89**

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

**AN ORDINANCE, AMENDING CHAPTER XII ENTITLED "BUILDINGS AND CONSTRUCTION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002, SECTION 12-7 ENTITLED "SWIMMING POOLS"**

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 21<sup>st</sup> day of March, 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 Bartlett, seconded by Zimmermann, unanimous on call of roll.

Council President Stoltz went over the correspondence that was received.

Council President Stoltz is seeking Council approval for music permits for the following: Mr. G's, Stiletto's, Il Villaggio, Shakers and Redd's.

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

Council President Stoltz mentioned that the sub code official, Larry Wood said we are not following our ordinance as far as identifying hazardous materials. Council President Stoltz is recommending that we extend Larry Wood's hours from five hours to ten hours a week. Joseph Crifasi, Borough Operations Manager, said he will also be doing property maintenance in the Meadowlands commercial area. Mr. Wood is also expressing to have four days paid vacation time.

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

Council President Stoltz mentioned the School Picnic will be June 18, 2016 and different things are planned as this will be the 150<sup>th</sup> School Picnic.

**COUNCILMAN RICHARD BARTLETT**

The Nam Knights are requesting the use of our garbage truck for their annual car show on May 1, 2016. Rain date will be May 15, 2016. Councilman Bartlett made a motion that they be granted permission for that, seconded by Stoltz, unanimous on call of roll.

Councilman Bartlett said the exhaust fan for the diesel fumes in the firehouse has to be replaced. He copied everyone in an e-mail. It should come out of Buildings and Grounds and not the Fire Department budget. The cost is \$3,370.84. The price is from Clean Air Company that supplies the fans. On motion by Bartlett, seconded by Stoltz, unanimous on call of roll.

Councilman Bartlett mentioned we received a check from the insurance company for the boat trailer last year as the insurance company totaled the trailer. It is going on nine months that we have not had the trailer replaced. The money was put in the Borough Mechanics budget and now the money is gone. This money better not come out of the 2016 Fire Department budget. Domenick Giancaspro, CFO needs to let us know if this was ordered.

**COUNCILMAN ROBERT ZIMMERMANN**

He had nothing to discuss at this time.

**COUNCILMAN JOSEPH EMERSON**

He had nothing to discuss at this time.

**COUNCILMAN WILLIAM SHOCKLEY**

He had nothing to discuss at this time.

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**COUNCILMAN JAMES LENOY**

The Little League Opening Day Parade is April 9, 2016 and will start at 12:30 P.M.

**COUNCILMAN DAVID STOLTZ**

He would like to get the Cub Scouts involved in planting flowers at the Civic Center.

Councilman Bartlett said to have Joseph Crifasi, Borough Operations Manager contact Mr. Robert DeMarco.

Council President Stoltz entertained a motion to go into closed session at 7:50 P.M. to discuss personnel. On motion by Bartlett, seconded by Emerson, unanimous on call of roll.

The meeting went back into open session at 8:30 P.M. with the following members in attendance: Councilmen Zimmerman, Stoltz, Bartlett, Lenoy, Emerson and Shockley.

Council President Stoltz entertained a motion to adjourn the meeting at 8:30 P.M. On motion by Bartlett, seconded by Emerson, the meeting was unanimously adjourned.

APPROVED: \_\_\_\_\_  
DAVID STOLTZ, COUNCIL PRESIDENT

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