

CAUCUS MEETING

May 4, 2017

A REGULAR SCHEDULED FINANCE 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, May 4, 2017 at 7:05 P.M.

Mayor Craig Lahullier asked Claire Foy, Borough Clerk to call the roll: Mayor Craig Lahullier, Councilmen Robert Zimmermann, David Stoltz and James Lenoy were present. Councilman Joseph Emerson arrived at 7:30 P.M. Councilmen Richard Bartlett and William Shockley were 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, 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.

Robert Ceberio of RCM Ceberio, LLC said he received a call from the owner of the Seagrave Coating Company. They are looking to put a hotel in there. They reached out to hotel developers. He had sold a piece of his frontage on Paterson Plank Road to the Hampton Inn so they could expand. He has now come back with a company that wants to develop 50,000 square feet from Seagrave Coating property and he has asked us to make a determination as to whether he fits into the contents of the Redevelopment Program. Mr. Ceberio said he does. He went into detail on this matter. Mr. Ceberio continued with his report.

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

There was a lengthy discussion regarding the construction of the parking lot at Borough Hall having this at the Jefferson Street entrance which they felt was not a good idea.

Gunther Kuprat who represents the Turn Hall was in attendance. He asked the Mayor and Council if they can help balance the budget with regards to celebrating the Turn Hall's 160th anniversary. Councilman Emerson made a motion to approve the amount of \$1,000.00 for the Turn Hall, seconded by Zimmermann, unanimous on call of roll of those present.

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**CONSIDERATION OF ORDINANCES
FINAL READING**

ORDINANCE NO. 17-5

BOND ORDINANCE TO AUTHORIZE THE MAKING OF PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,100,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

On motion by Stoltz, seconded by Zimmermann, 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. 2017-144-A

BE IT RESOLVED that the ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,100,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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 Stoltz, seconded by Emerson, unanimous on call of roll of those present.

FIRST READING

ORDINANCE NO. 17-6

BOND ORDINANCE TO AMEND SECTIONS 4.A AND 10 OF THE BOND ORDINANCE (ORD. NO. 15-4) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,090,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED ON MAY 18, 2015, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 15-10 ADOPTED ON OCTOBER 1, 2015.

BE IT ORDAINED by the Borough Council of the Borough of Carlstadt, in the County of Bergen, State of New Jersey, as follows:

Section 1. Section 4.A of Ordinance No. 15-4 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,090,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS"

adopted by the Borough Council of the Borough of Carlstadt, in the County of Bergen, New Jersey (the "Borough") on May 18, 2015, as previously amended by Ordinance No. 15-10 adopted on October 1, 2015 (collectively, the "Prior Ordinance") is hereby amended to (A) add the acquisition of three SUVs (two for the Fire Department and one for Senior Transport) to the purposes authorized

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and (B) decrease the period of usefulness from 15 years to 5 years, and shall hereafter read as follows:

"[Section 4.]A. (i) Acquisition of new automotive vehicles, including original apparatus and equipment, consisting of three SUVs (two for the Fire Department and one for Senior Transport) and (ii) supplemental funding for the replacement of the ramp and the retaining wall at the Civic Center. It is hereby determined and stated that the Borough has heretofore appropriated the sum of \$80,000 for the improvements at the Civic Center pursuant to Ord. No. 14-7 adopted on September 15, 2014.

Appropriation and Estimated Cost	\$ 380,000
Down Payment Appropriated	\$ 18,100
Bonds and Notes Authorized	\$ 361,900
Period of Usefulness	5 years."

Section 2. Section 10 of the Prior Ordinance is hereby amended to decrease the average period of usefulness of the purposes authorized from 20.11 years to 18.29 years (a decrease of 1.82 years), and shall hereafter read as follows:

"Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 18.29 years computed from the date of said bonds."

Section 3. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 4. This ordinance shall take effect twenty days after the first publication thereof after final passage.

RESOLUTION NO. 2017-144-B

BE IT RESOLVED that the ordinance entitled:

BOND ORDINANCE TO AMEND SECTIONS 4.A AND 10 OF THE BOND ORDINANCE (ORD. NO. 15-4) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF CARLSTADT, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,090,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED ON MAY 18, 2015, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 15-10 ADOPTED ON OCTOBER 1, 2015.

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 1st day of June, 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 Lenoy, unanimous on call of roll of those present.

**CONSENT AGENDA
RESOLUTION NO. 2017-145**

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 TWO DOOR DUMP TRUCK WITH SNOW PLOW AND SPREADER
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 NO. 2017-146

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 FOUR DOOR DUMP TRUCK WITH SNOW PLOW AND SPREADER
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 NO. 2017-147

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 FOUR DOOR CREW CAB PICKUP TRUCK
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 NO. 2017-148

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 ROLL OFF TRUCK WITH SNOW PLOW AND SPREADER
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 NO. 2017-149

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED SPANISH RADIO/HEFTEL V. BOROUGH OF CARLSTADT
AT 277 PATERSON PLANK ROAD, BLOCK 121, LOT 3
FOR TAX YEARS 2011 THROUGH 2017.**

WHEREAS, Spanish Radio/HEFTEL has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 277 Paterson Plank Road and identified on the Borough's tax maps as Block 121, Lot 3 for tax years 2011 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

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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 2011 & 2012 to be reduced from \$630,000 to \$250,000.
- 2) The assessment for tax years 2013 & 2014 to be reduced from \$1,176,200 to \$630,000.
- 3) The assessment for tax years 2015 through 2016 to be reduced from \$1,176,200 to \$600,000.
- 4) The assessment for tax year 2017 to be reduced from \$1,198,400 to \$600,000.

RESOLUTION NO. 2017-150

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED HBC NEW YORK, INC. V. BOROUGH OF CARLSTADT
ON PATERSON PLANK ROAD, BLOCK 123.01, LOT 9.01
FOR TAX YEARS 2011 THROUGH 2016.**

WHEREAS, HBC New York, Inc. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located on Paterson Plank Road and identified on the Borough's tax maps as Block 123.01, Lot 9.01 for tax years 2011 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 2011 to be reduced from \$155,000 to \$58,000.
- 2) The assessment for tax year 2012 to be reduced from \$155,000 to \$61,000.
- 3) The assessment for tax years 2013 & 2014 to be reduced from \$448,000 to \$177,000.
- 4) The assessment for tax years 2015 & 2016 to be reduced from \$448,000 to \$212,000

RESOLUTION NO. 2017-151

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL
ENTITLED MULTICULTURAL RADIO BROADCASTING, INC. V. BOROUGH OF
CARLSTADT
AT 350 PATERSON PLANK ROAD, BLOCK 124, LOT 15
FOR TAX YEARS 2011 THROUGH 2017.**

WHEREAS, Multicultural Radio Broadcasting, Inc. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 350 Paterson Plank Road and identified on the Borough's tax maps as Block 124, Lot 15 for tax years 2011 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

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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 2011 & 2012 to be reduced from \$450,000 to \$350,000.
- 2) The assessment for tax years 2013 through 2015 to be reduced from \$3,213,100 to \$850,000.
- 3) The assessment for tax year 2016 to be reduced from \$3,213,100 to \$900,000.
- 4) The assessment for tax year 2017 to be reduced from \$1,404,500 to \$900,000.

RESOLUTION NO. 2017-152

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED AVENUE A ASSOCIATES/HANNA FRANK V. BOROUGH OF CARLSTADT ON A STREET, BLOCK 129, LOT 7 FOR TAX YEARS 2013 THROUGH 2016.

WHEREAS, Avenue A Associates/Hanna Frank has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located on A Street and identified on the Borough's tax maps as Block 129, Lot 7 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 to be reduced from \$4,603,700 to \$4,435,000.
- 2) The assessment for tax year 2014 to be reduced from \$4,603,700 to \$4,485,000.
- 3) The assessment for tax year 2015 to be reduced from \$4,603,700 to \$4,497,000.
- 4) The assessment for tax year 2016 to be reduced from \$4,603,700 to \$4,195,000.
- 5) The assessment for associated property on Block 130 Lot 19 to remain unchanged for tax years 2013 through 2016.

RESOLUTION NO. 2017-153

WHEREAS, Pegasus Transport Service, Inc. has made application to the Borough of Carlstadt for the renewal of six (6) 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 six (6) limousine licenses at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved nunc pro tunc for Vin #22113, #44533, #44032, #45507, #22115 and #22118.

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AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the renewal of the six (6) limousine licenses at the above referenced location for the period of one year, commencing April 21, 2017 and ending on April 21, 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. 2017-154

WHEREAS, N.J.S.A. 5:10A-7 grants the New Jersey Sports and Exposition Authority ("NJSEA") the power to determine the existence of areas in need of redevelopment and undertake any development or other project it finds necessary to redevelop and improve the land within the district; and

WHEREAS, N.J.S.A. 5:10A-23 grants the NJSEA the exclusive power to declare the district, or any portion thereof, to be an area in need; and

WHEREAS, C.5:10A-24 authorizes the NJSEA to prepare and adopt redevelopment plans; and

WHEREAS, the New Jersey Meadowlands Commission ("NJMC"), predecessor to the NJSEA, conducted an "in-need" investigation and declared an area of Paterson Plank Road to be a redevelopment area; and

WHEREAS, NJMC adopted a redevelopment plan by NJMC Resolution No. 03-66 on September 29, 2003, which was amended by NJMC Resolution No. 04-08 on February 25, 2004 and NJMC Resolution No. 12-55 on December 19, 2012 ("Paterson Plank Road Redevelopment Plan"); and

WHEREAS, there have been no significant redevelopment projects within the redevelopment area as envisioned by the NJSEA redevelopment plan since the adoption and amendments to the Paterson Plank Road Redevelopment Plan due to several issues, among them, severe site contamination and the status of the American Dream Redevelopment Project in East Rutherford; and

WHEREAS, the Borough of Carlstadt believes it has an opportunity to redevelop a 20.5-acre site primarily known as the Arsynco - Cosan Chemical site (the "Chemical Sites") within the Light Industrial Center of the Paterson Plank Redevelopment Area (Block 91, Lots 1, 2, 3, 4 & 5, Block 97, Lots 1, 2, 3, 4, 5, 6, 6.01 & 7, Block 98, Lots 1, 2 & 3, Block 99, Lots 1 & 2) (collectively, the "Project Area"); and

WHEREAS, in accordance with N.J.S.A. 50-10A-24d(6), the NJSEA may enter into a redevelopment agreement pursuant to a redevelopment plan; and

WHEREAS, the Borough of Carlstadt is desirous of entering into a Redevelopment Agreement with the NJSEA and being designated by NJSEA as the redeveloper of the Project Area to use its powers, including eminent domain under the provisions of N.J.S.A. 40A:12A-1 et seq., the Local Redevelopment and Housing Law to develop the Project Area; and

WHEREAS, the Borough of Carlstadt recognizes that only the NJSEA can declare an area "in-need" of redevelopment and cannot change any element of a redevelopment plan adopted by the NJSEA without the NJSEA's approval; and

WHEREAS, the Borough of Carlstadt concurs with the NJSEA's area in need determination declaring the Paterson Plank Road redevelopment area "in-need" of redevelopment and accordingly adopts NJSEA's findings as its own; and

WHEREAS, it is the intention of the Borough of Carlstadt to take the existing Paterson Plank Road Redevelopment Plan, as related to the Carlstadt Light Industrial Center, and, having adopted the findings contained in NJMC "in-need" determination, for the Borough of Carlstadt to adopt the Paterson Plank Road Redevelopment Plan in its entirety as a redevelopment plan for the Borough, pursuant to NJSA 40A:12A-7, after review by its Planning Board.

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

1. Requests that the New Jersey Sports and Exposition Authority designates the Borough as the Redeveloper of Block 91, Lots 1,2,3,4 & 5, Block 97, Lots 1, 2, 3,4, 5 6, 6.01 & 7, Block 98, Lots 1, 2 & 3, Block 99, Lots 1 & 2 within the Light Industrial Center Zone of the Paterson Plank Road Redevelopment Plan.
2. Adopts the findings contained in the NJMC in-need investigation.
3. Having reviewed the Resolution of the Planning Board of the Borough of Carlstadt with regard to the Redevelopment Plan, hereby adopts the Paterson Plank Road Redevelopment Plan in its entirety pursuant to the provisions of N.J.S.A. 40A:12A-7.

RESOLUTION NO. 2017-155

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et seq, the Borough of Carlstadt may contract with another municipality or municipalities to share services that any party to the agreement is empowered to provide within its own jurisdiction; and

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WHEREAS, in accordance with N.J.S.A. 2B:12-1(c) the Borough of Carlstadt and the Borough of East Rutherford consent and agree to share the professional services of the Municipal Court Administrator on a professional basis to undertake the duties of the absent Municipal Court Administrator during scheduled and/or unscheduled leaves, within the two respective Boroughs consistent with the attached Consent and Agreement dated January 17, 2017.

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

1. The Mayor and Borough Clerk are hereby authorized to execute the attached Consent and Agreement dated January 17, 2017 to share the services of the Municipal Court Administrator with the Borough of East Rutherford under the terms set forth therein.

2. Copies of the Consent and Agreement shall be forwarded to the Borough Clerk of East Rutherford, the Municipal Court Administrators of Carlstadt and East Rutherford, Brendis Montijo-Wrigley, MDM and Hon. Bonnie J. Mizdol, AJSC.

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

Mayor Lahullier said we need to approve a \$500.00 scholarship for a Becton student. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll of those present.

Mayor Lahullier said we need appoint a Summer Recreation Director. Councilman Emerson said he spoke to Greg Barbo last evening and he said he would take the position again. On motion by Emerson, seconded by Stoltz, unanimous on call of roll of those present.

Mayor Lahullier went over the correspondence that was received.

Lt. Denise Kimak of the Carlstadt Police Department requested the use of the community bus on June 9, 2017 at 11:00 A.M. The bus will be used to transport approximately twenty-five students who are participating in the Law Enforcement Torch Run. They will finish the run on Hackensack Street at Hoboken Road and will need to be taken back to the Carlstadt Public School. John Solimine who is the bus driver said he would be able to assist with the transport.

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

A letter was received from the Carlstadt/East Rutherford Junior Wildcats Football & Cheering Recreation Program. They requested its annual 2017 operating funds from both Carlstadt/East Rutherford municipalities in the amount \$4,500.00 each.

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

A letter was received from the Wildcat Hoop Club. They asked for an equal amount of financial support from both Carlstadt/East Rutherford recreation budgets to help offset costs of registering the student/athletes in summer programs. They asked Carlstadt to contribute the amount of \$425.00. On motion by Emerson, seconded by Lenoy, unanimous on call of roll of those present.

A memo was received from Chief Thomas Nielsen of the Carlstadt Police Department. This was for two Special Police Officers assigned to Movie Night at the Little League Field on May 12, 2017. The event will start at 7:00 P.M. One Special from 6:00 P.M. to 10:00 P.M. and another from 7:00 P.M. to 11:00 P.M.

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

Mayor Lahullier wanted to know where summer recreation is going to be held this year. The school is having a new roof put on. This matter was discussed. It will still be at the school and details will be worked out with the contractor as well as bathroom facilities.

COUNCILMAN ROBERT ZIMMERMANN

He had nothing to discuss at this time.

COUNCILMAN JAMES LENOY

He mentioned there will be a Zoning Board meeting on Wednesday at 7:00 P.M. This will be a scheduled hearing for condos on Jefferson Street. This is a four two bedroom apartment with parking underneath the ground level.

Mayor Lahullier said to just keep in mind if there is any kind of balcony to have privacy in mind depending what they want to do. This would be on the Washington Street side.

COUNCILMAN DAVID STOLTZ

He had nothing to discuss at this time.

COUNCILMAN JOSEPH EMERSON

He had nothing to discuss at this time.

JOSEPH CRIFASI, DPW OPERATIONS MANAGER

There was a light survey for an added light on Division Avenue between First and Second Street. There was also a business request on Gotham and Veterans Boulevard. There were contracts sent over for the Mayor and Council approval. This would be for four lights at a cost of \$47.12 a month. The other cost on Division was \$11.75.

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

JANE FONTANA, LEGISLATIVE RESEARCH OFFICER

She mentioned that Police Chief Thomas Nielsen has requested approval in the amount not to exceed \$7,180.00 for the police written exam with two hundred thirty-nine applicants who applied. That also included \$2,400.00 for up to twenty interviews.

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

**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 8:15 P.M. On motion by Zimmermann, seconded by Emerson, unanimous on call of roll of those present.

The meeting went back into open session at 10:00 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Zimmermann, Stoltz, Lenoy and Emerson.

Mayor Lahullier entertained a motion not to exceed \$10,000.00 for Phase I of Lincoln School Environmental. On motion by Stoltz, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Lahullier mentioned that the First Presbyterian Church needed a bus driver on May 7, 2017 from 9:00 A.M. to 1:00 P.M. from Sun Chemical to the First Presbyterian Church. On motion by Stoltz, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Lahullier entertained a motion to adjourn the meeting at 10:15 P.M. On motion by Stoltz, seconded by Zimmermann, the meeting was unanimously adjourned.

APPROVED: _____
CRAIG LAHULLIER, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK