

CAUCUS MEETING
October 5, 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, October 5, 2017 at 7:00 P.M.

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

Gregory Polyniak of Neglia Engineering read his report for the month of September 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 September and is on file in the office of the Borough Clerk.

CONSENT AGENDA
RESOLUTION NO. 2017-291

**RESOLUTION AUTHORIZING SHARED SERVICES
AGREEMENT WITH BERGEN COUNTY FOR THE
SHARING OF COUNTY-OWNED EMERGENCY AND
NON-EMERGENCY EQUIPMENT**

WHEREAS, the Borough of Carlstadt is authorized to enter into shared services agreements in accordance with the Uniform Shared Services and Consolidation Act P.L. 2007, c63 (C.40A:65-1, et seq.); and

WHEREAS, the County of Bergen makes available to Bergen County municipalities the opportunity to enter into a written agreement governing the terms for sharing of County owned equipment in advance of actual need so as to allow the County the capability to facilitate the prompt availability of such equipment to municipalities when needed; and

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WHEREAS, the Mayor and Council of the Borough of Carlstadt is desirous of entering into a Shared Services Agreement with Bergen County to share County owned equipment that may be needed due to emergencies, mechanical breakdown or budgetary restrictions under a formal agreement for sharing of equipment.

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

- 1) The Mayor be and hereby is authorized to sign the Shared Services Agreement for the sharing of County-owned emergency and non-emergency equipment in the form attached hereto, together with any other documents necessary to implement the Agreement, the Agreement and all other documents to be in forms approved by the Borough Attorney.
- 2) The OEM Coordinator and Director of Public Works Operations, Maintenance and Equipment are hereby designated as Contact Persons for purposes of effectuating the terms of the Shared Services Agreement.

RESOLUTION NO. 2017-292

WHEREAS, the Borough of Carlstadt approved Resolution No. 2017-193 on June 19, 2017; and

WHEREAS, there was an assessment reduction for tax year 2014 which resulted in a reduction in the amount refunded.

NOW, THEREFORE BE IT RESOLVED that Resolution No. 2017-193 reflect that the reduction in the 2014 tax assessment is \$23,900.00 or \$475.85 which lowers the refund amount by \$674.95 which has been refunded to the Borough of Carlstadt. It is noted that the Tax Collector has adjusted his records accordingly.

RESOLUTION NO. 2017-293

WHEREAS, the Governing Body of the Borough of Carlstadt approved Resolution No. 2017-249 on August 21, 2017 reducing the 2015 property tax assessment and a Freeze Act for 2016; and

WHEREAS, the 2015 property tax reduction was previously approved.

NOW, THEREFORE BE IT RESOLVED by the Carlstadt Governing Body that Resolution No. 2017-249 is amended to show that only the Freeze Act shall apply for 2016 and the 2015 assessment reduction has been refunded in the amount of \$2,552.31. In addition the Tax Collector has adjusted his records accordingly.

RESOLUTION NO. 2017-294

AWARD OF CONTRACT

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of Neglia Engineering Associates that the Contract for:

**VARIOUS SIDEWALK LOCATIONS
BOROUGH OF CARLSTADT, BERGEN COUNTY, NEW JERSERY**

be awarded to Pasquale & Deleasa Mason Contractors, 600 Central Ave, Carlstadt, New Jersey 07072 for the quote amount of Thirty-Six Thousand Dollars and Zero Cents (\$36,000.00) which represents a unit price of \$100.00 per square yard of concrete and 360 square yards of concrete being the lowest of two quotes submitted (of the six quotes requested) per the September 12, 2017 solicitation for this project. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 2017-295

AWARD OF CONTRACT

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey upon the recommendation of Neglia Engineering Associates that the Contract for:

**STREET TREE INSTALLATIONS
BOROUGH OF CARLSTADT, BERGEN COUNTY, NEW JERSEY**

be awarded to Downes Tree Service Co., Inc., 65 Royal Avenue, Hawthorne New Jersey 07506 for the quote amount of Thirty-Six Thousand Dollars and Zero Cents (\$36,000.00) which represents a unit price of \$346.00 per tree and 104 trees being the lowest of two quotes submitted (of the five quotes requested) per the September 13, 2017 solicitation for this project. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

RESOLUTION NO. 2017-296

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. 421 Second Street
2. 427 Ninth Street

all in accordance with the requirements as stated in Chapter 10-3.10 and with the recommendation of the Police Chief of the Carlstadt Police Department.

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

RESOLUTION NO. 2017-297

SHARED SERVICES FOR COUNTY ROAD RESURFACING

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property tax payers; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local participating in the Agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the County of Bergen (the "County") periodically performs maintenance of County roads through various Road Resurfacing Projects and these Road Resurfacing Projects require cooperation and coordination between the County and the seventy municipalities in which the County roads are located; and

WHEREAS, the County will undertake road resurfacing activities within the Borough of Carlstadt (the "Borough"); and

WHEREAS, the County and the Borough seek to enter into a Shared Services Agreement to memorialize the respective responsibilities of the County and the Borough in connection with this Road Resurfacing Project.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Carlstadt, that the Borough approves of the proposed shared services agreement as referenced herein between the Borough and the County, a copy of which is on file with the Borough; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the subject shared services agreement with the County for the above stated purpose.

RESOLUTION NO. 2017-298

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. Carlstadt/East Rutherford Cub Scout Pack 51/65 – Wednesdays, October 4 and 25, 2017 from 6:30 P.M. to 9:00 P.M. to have a meeting.
2. Carlstadt Woman’s Club – Tuesday, October 10, 2017 from 7:00 P.M. to 9:00 P.M. to have a meeting.
3. Carlstadt Brownies – October 17, 2017, November 14, 2017, December 5, 2017, January 9, 2018, February 6, 2018, March 6, 2018, April 3, 2018, May 1, 2018 and June 19, 2018 from 6:30 P.M. to 8:30 P.M. to have a meeting.
4. Carlstadt Girl Scouts – October 19, 2017, November 8, 2017, December 13, 2017, January 10, 2018, February 7, 2018, March 7, 2018, April 11, 2018 and May 9, 2018 from 7:00 P.M. to 8:00 P.M. to have a meeting.

Borough Hall Caucus Room

1. Recreation Committee – the second Monday of the month at 7:30 P.M. to have a meeting.

RESOLUTION NO. 2017-299

WHEREAS, the Board of Officers has approved the membership of the following person as a regular member of the Carlstadt Fire Department:

1. Brandon Lopez – Bergen Engine Company One
- and

WHEREAS, said individual has satisfactorily passed the required physical examination.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that Brandon Lopez is hereby appointed as a regular member of the Carlstadt Fire Department.

RESOLUTION NO. 2017-300

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the request from the First Presbyterian Church of Carlstadt to close off Third Street between Central Avenue and Division Avenue on Sunday, October 22, 2017 from 11:00 A.M. to 3:00 P.M. to hold a Fall Festival is hereby approved.

RESOLUTION NO. 2017-301

WHEREAS, BERF, LLC operating from 463 Barell Avenue, Carlstadt, NJ 07072 has made application to the Borough of Carlstadt for one (1) limousine license; and

WHEREAS, the application has been filed together with the requisite fees, 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 BERF, LLC to operate one (1) limousine at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved for VIN # 23441 nunc pro tunc.

AND, BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to issue the license to operate one (1) limousine at the above referenced location for the period of one year, commencing September 29, 2017 and ending on September 29, 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. 2017-302

WHEREAS, the Borough of Carlstadt is in need of additional space to create a document repository for off-site storage of Borough records; and

WHEREAS, Sun Chemical Corporation has offered to the Borough of Carlstadt space to utilize for such purpose at their facility at 631 Central Avenue, in an "as is" condition, free of charge; and

WHEREAS, the Borough of Carlstadt is desirous of establishing a partnership with Sun Chemical Corporation for the purpose of use of the designated space to meet its records and document storage needs.

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

1. Carlstadt shall establish a record repository at the Sun Chemical Facility consistent with the terms and conditions as set forth in the Memorandum of Understanding attached hereto, which be and hereby is, authorized and approved.
2. The Mayor is hereby authorized to execute the attached Memorandum of Understanding on behalf of the Borough and the Borough Clerk is hereby directed to forward said Agreement to Sun Chemical Corporation for execution, together with a copy of this Resolution.

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

Mayor Lahullier entertained a motion to approve reimbursement of \$55.00 plus gas and tolls to whoever needs credits for recertification at the League of Municipalities Convention.

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

Mayor Lahullier entertained a motion to ratify a voice vote for Sanzari, Popejoy and Longo to work through September and October.

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

The Mayor and Council members reviewed and discussed the Best Practices Worksheet CY 2017/SFY 2018.

The Mayor and Council members also reviewed the puppy mill ordinance.

Mayor Lahullier went over the correspondence that was received.

The Carlstadt Public School PTA will be hosting the Annual Trunk or Treat Event on Friday, October 27, 2017 from 5:00 P.M. to 7:00 P.M. They listed the things they need for the event.

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

David Torres who resides at 426 Fourth Street #2, Carlstadt, NJ requested a parking permit for his commercial vehicle. He has permission from his employer Romar Electric to take the vehicle home as he is on call 24/7 and needs immediate access to the vehicle should he need to respond to an emergency call for service. Mayor Lahullier said we are not supposed to give parking stickers to commercial vehicles. This request was not approved.

A memo was received from the Carlstadt Fire Department regarding a withdrawal from the LOSAP program for Thomas J. Ondrof. This is to make the money in his account available for him to withdraw without providing hardship. Mr. Ondrof is aware that he will not be able to re-enter the LOSAP program for the rest of his service with the Carlstadt Fire Department. No additional LOSAP contributions will be made to him or his LOSAP account by the Borough of Carlstadt.

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

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Correspondence was received from the Carlstadt Fire Department informing us the State of NJ has raised the permit fees and we have to change our ordinance to the increases in the fees.

This application fee for a permit shall be as follows:

Type 1 - \$ 54.00

Type 2 - \$214.00

Type 3 - \$427.00

Type 4 - \$641.00

Also for smoke detector and carbon monoxide inspection certificate the fee amount charge will be increased to \$50.00

Mayor Lahullier entertained a motion to have Jane Fontana, Legislative Research Officer, prepare the ordinance for this. On motion by Stoltz, seconded by Bartlett, unanimous on call of roll of those present.

Correspondence was received from the Aviation Hall of Fame & Museum of NJ. They are inviting us to attend the Regional Veterans Day Ceremony on Sunday, November 5, 2017 at 11:00 A.M. located at 400 Fred Wehran Drive, Teterboro Airport.

Mayor Lahullier introduced Jenrose Martin who is a resident of East Rutherford. When she was younger she remembers dancing in the Dance Theater Workshop. She gave her resume as well as a letter with her love of dance and teaching others what she has learned. She would like to see the Dance Theater Workshop continue with her in charge.

Mayor Lahullier entertained a motion to continue the Dance Theater Workshop Program. On motion by Stoltz, seconded by Shockley, unanimous on call of roll of those present.

COUNCILMAN RICHARD BARTLETT

He asked if we ever got a container to put down at the Washington Avenue Firehouse. DPW Director Joseph Crifasi replied no. This was further discussed.

COUNCILMAN WILLIAM SHOCKLEY

He brought up the landscapers ordinance which was discussed.

COUNCILMAN JAMES LENOY

He talked about a letter that was sent out regarding recreation for this month. There will be a monthly Recreation Committee meeting at the Borough Hall on the second Monday of each month at 7:30 P.M. for an hour. It will include all sports sign ups.

COUNCILMAN DAVID STOLTZ

He mentioned the sewer problems we are having on Broad Street. This situation was discussed.

Mayor Lahullier wanted to discuss the senior housing survey results before they went into closed session. Jane Fontana addressed this.

**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: 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: 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.

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 8:35 P.M. On motion by Lenoy, seconded by Stoltz, unanimous on call of roll of those present.

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

**CONSIDERATION OF ORDINANCES
FIRST READING**

ORDINANCE NO. 17-11

AN ORDINANCE TO AMEND ORDINANCE NO. 17-7 TO FIX AND DETERMINE THE SALARIES AND COMPENSATION OF THE SEVERAL EMPLOYEES OF THE BOROUGH OF CARLSTADT AND TO PROVIDE THE MANNER AND PAYMENT THEREOF.

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Borough of Carlstadt, County of Bergen and State of New Jersey as follows:

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1. Ordinance No. 17-7, Section 2, Monthly is hereby amended with the addition of the following:

SECTION 2 Monthly

Construction / Plumbing Code Official	\$42.80 per hour
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The remainder of Section 2 Monthly shall remain in full force and effect.

Savings Clause. All other provisions of Ordinance No. 17-7 shall remain in full force and effect.

Repeal of Prior or Inconsistent Ordinance. 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.

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

RESOLUTION NO. 2017-303

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 17-7 TO FIX AND DETERMINE THE SALARIES AND COMPENSATION OF THE SEVERAL EMPLOYEES OF THE BOROUGH OF CARLSTADT AND TO PROVIDE THE MANNER AND PAYMENT THEREOF.

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 2nd day of November, 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 Stoltz, seconded by Bartlett, unanimous on call of roll of those present.

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Mayor Lahullier entertained a motion to adjourn the meeting at 9:20 P.M. On motion by Stoltz, seconded by Bartlett, the meeting was unanimously adjourned.

APPROVED: _____
CRAIG LAHULLIER, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK