

**CAUCUS MEETING
October 4, 2018**

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 4, 2018 at 7:05 P.M.

Mayor Craig Lahullier asked Claire Foy, Borough Clerk to call the roll: Mayor Craig Lahullier, Councilmen David Stoltz, Richard Bartlett, and Joseph Emerson were present. Councilman William Roseman arrived at 7:48 P.M. Councilmen Robert Zimmermann and James Lenoy 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, 2018 and the Herald News on January 6, 2018 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 and is on file in the office of the Borough Clerk.

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

COUNCILMAN JOSEPH EMERSON

Councilman Emerson talked about the Fall Festival event that is planned for November 11, 2018 at the Village Green. Everything is coming together for it. This includes the vendors, beer garden, the rides and other things for the event.

COUNCILMAN DAVID STOLTZ

He had nothing to discuss at this time.

COUNCILMAN RICHARD BARTLETT

The Fire Department is looking to purchase the gear racks for downstairs.

CONSIDERATION OF ORDINANCES

FIRST READING

ORDINANCE NO. 18-11

AN ORDINANCE AMENDING CHAPTER XI “LICENSING OF DOGS”, SUBCHAPTER 11-10 “RABIES CONTROL”, SUBSECTION 11-10.2 “PERIODS OF INOCULATION” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002

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NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Carlstadt that Subsection 11-10.2 “Periods of Inoculation.” of Subchapter 11-10 entitled “Rabies Control” of Chapter V “Licensing of Dogs”, shall be deleted in its entirety and is hereby amended and supplemented to read as follows:

11-10.2. Periods of Inoculation.

a. All dogs shall be vaccinated against rabies by a licensed veterinarian in accordance with the latest Compendium of Animal Rabies Vaccines and Recommendations for Immunization published by the National Association of State Public Health Veterinarians, except as provided for in paragraph d, below.

b. Any person applying for a dog license and registration tag must provide evidence to the Borough that the dog has been inoculated with a rabies vaccine of type approved by and administered in accordance with the recommendations of the United States Department of Agriculture and the United States Department of Human Services or has been certified exempt as provided for by paragraph d, below. The rabies inoculation shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same. Such vaccine shall be repeated at intervals as provided by regulations of the New Jersey State Department of Health.

c. A current year license will not be issued unless the dog’s rabies vaccination is valid through October 31, of the current year. If the dog’s rabies vaccination expires any time prior to October 31 of the current year, you must have your dog vaccinated prior to licensing, unless certified as exempt as provided for by paragraph d, below. A certificate of vaccination shall be issued to the owner of each dog vaccinated on a form recommended by the State of New Jersey.

d. Any dog may be exempt from the requirement of such vaccination for a specified period of time upon presentation of a veterinarian's certificate stating that because of an infirmity or other physical condition or regime of therapy, the inoculation of such animal shall be deemed inadvisable. See Subsection 11-10.4 Exceptions below.

In all other respects, Chapter XI entitled “Licensing of Dogs,” and Subchapter 11-10, “Rabies Control” shall remain in full force and effect.

Repealer: All Ordinances and parts thereof repealed to the extent that they are in such conflict or inconsistent.

Severability: If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed to be valid and effective.

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

RESOLUTION NO. 2018-269-A

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE AMENDING CHAPTER XI “LICENSING OF DOGS”, SUBCHAPTER 11-10 “RABIES CONTROL”, SUBSECTION 11-10.2 “PERIODS OF INOCULATION” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002

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 8th day of November, 2018 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 Emerson, unanimous on call of roll of those present.

FIRST READING

ORDINANCE NO. 18-12

AN ORDINANCE AMENDING CHAPTER V “POLICE REGULATIONS”, SUBCHAPTER 5-17 “USE OR POSSESSION OF TOBACCO PRODUCTS IN PUBLIC PLACES” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002

WHEREAS, Electronic smoking devices or E-Cigarettes are used to deliver nicotine and other substances by inhaling from the device; and

WHEREAS, the nicotine inhaled through E-Cigarettes poses the same health hazards as smoking cigarettes, which have been identified as a probable addictive practice with serious consequences, especially for minors; and

WHEREAS, the Governing Body desires to act to further promote and protect the health, safety and welfare of its inhabitants, especially minors, by proscribing the use and possession of electronic smoking devices by minors in public places.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Carlstadt that Subsection 5-17 entitled “Use or Possession of Tobacco Products in Public Places of Chapter V “Police Regulations”, shall be amended to read as follows:

5-17. Use or Possession of Tobacco Products and Electronic Cigarette Devices in Public Places

AND, BE IT FURTHER ORDAINED that Subsection 5-17.2 b “Definitions” shall be amended and supplemented to include the definitions related to electronic smoking devices and shall read as follows:

5-17-2 b. Definitions.

ELECTRONIC SMOKING DEVICE

Means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

LIQUID NICOTINE

Means any solution containing nicotine which is designed or sold for use with an electronic smoking device.

LIQUID NICOTINE CONTAINER

Means a bottle or other container of liquid, wax, gel, or other substance containing nicotine, where the liquid or other contained substance is sold, marketed or intended for use in a vapor product.

MINOR

Any person under the legal age.

PUBLIC PLACE

Any building or enclosed structure open to the public, and any street, road, sidewalk, walkway, park or open public place or to possess in open view, an opened pack, opened carton or other opened container holding a tobacco product or any electronic smoking device or substance intended for use in such device in any public place.

TOBACCO

Any product made from the tobacco plant for the purpose of smoking, chewing, inhaling and other personal use, including, but not limited to, cigars, chewing tobacco, pipe tobacco, snuff and cigarettes in any form.

VAPOR PRODUCT

Means any non-combustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce vapor from nicotine in a solution or any form, including any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, and any vapor cartridge or other container of nicotine in a solution or other form intended to be used with, or in, any such device.

In all other respects, Chapter V entitled “Police Regulations,” and Subchapter 5-17 shall remain in full force and effect.

Repealer: All Ordinances and parts thereof repealed to the extent that they are in such conflict or inconsistent.

Severability: If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed to be valid and effective.

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

RESOLUTION NO. 2018-269-B

BE IT RESOLVED that the ordinance entitled:

AN ORDINANCE AMENDING CHAPTER V “POLICE REGULATIONS”, SUBCHAPTER 5-17 “USE OR POSSESSION OF TOBACCO PRODUCTS IN PUBLIC PLACES” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CARLSTADT, 2002

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to held on the 8th day of November, 2018 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 Emerson, seconded by Stoltz, 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 7:45 P.M.

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

The meeting went back into open session at 8:15 P.M. with the following members in attendance: Mayor Lahullier, Councilmen Stoltz, Bartlett, Emerson and Roseman.

CONSENT AGENDA

RESOLUTION NO. 2018-270

**AUTHORIZING TRUST FUND PROJECT CONTRACT
WITH THE COUNTY OF BERGEN FOR
ZIMMERMANN PARK PHASE IV IMPROVEMENTS**

BE IT RESOLVED, that the Mayor and Council of the Borough of Carlstadt wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using \$75,000.00 matching grant award from the 2017 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Zimmermann Park Phase IV Improvements, located at 503 6th Street, on the tax maps of the Borough of Carlstadt; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Craig Lahullier to be a signatory to aforesaid grant agreement CONTRACT; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant toward this approved park project must be completed by or about August 1, 2020; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements. Professional Services Costs may be reimbursed from grant award's unexpended balance, should there be a balance.

RESOLUTION NO. 2018-271

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:

**NJDOT MA-2018 Fifth Street Roadway Improvements Project (00039) and
Division Avenue Drainage Improvements Project (CDBG Funded)**

**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. 2018-272

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

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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 BERF, LLC to renew 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 renew the license to operate one (1) limousine at the above referenced location for the period of one year, commencing September 21, 2018 and ending on September 21, 2019 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. 2018-273

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#20964.

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 October 5, 2018 and ending on October 5, 2019 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. 2018-274

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

1. 741 Hill 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. 2018-275

WHEREAS, Savior Limo, 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 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 Savior Limo, LLC to operate one (1) limousine at 463 Barell Avenue, Carlstadt, NJ 07072 be and hereby is approved for VIN # 51526.

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 October 5, 2018 and ending on October 5, 2019 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.

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

Mayor Lahullier is seeking Council approval for reimbursement of \$55.00 plus gas and tolls to whoever needs credits for recertification at the League of Municipalities Convention in November. On motion by Stoltz, seconded by Bartlett, unanimous on call of roll of those present.

Councilman Emerson made a motion to approve \$20,000.00 for the Fall Festival on November 11, 2018 at the Village Green from 11:00 A.M. to 6:00 P.M. for Cliffhanger Productions. On motion by Emerson, seconded by Stoltz, unanimous on call of roll of those present.

Councilman Emerson made a motion to hire Pat Reed to do bank reconciliations for the amount of \$500.00 a month. On motion by Emerson, seconded by Stoltz, unanimous on call of roll of those present.

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Joseph Crifasi, DPW Operations Manager mentioned that he and Joseph Orlando spoke to Domenick Giancaspro, CFO about two computers that have to be replaced downstairs. One computer is for Joyce Ranone and the other is for Robert Healey. Robert has no access to the network. The cost would be \$750.00 for each computer.

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

Joseph Crifasi mentioned that the DPW has an expiring or decreasing fund for their equipment. We have about \$35,000.00 left. He brought this up about two years ago and waited until now to make sure we got all the equipment we needed. He talked about getting an enclosed drivable tractor snow blower with heat to do sidewalks. It also has a canvas cover. It is a County contract and he spoke to Domenick Giancaspro. The price is \$30,144.63. It also comes with a plow. Mr. Crifasi read all of the other items that comes with it.

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

Mayor Lahullier went over correspondence. A memo was sent from Jean Oosterwyk asking if she has any vacation days left over this year, she would like to get paid for them.

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

Mayor Lahullier mentioned that the Wildcats Football Sideline Club is asking us to purchase one of the Wildcat signs. We did the bronze level sponsor for \$250.00 last year and seeks Council approval to do the same for this year.

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

Mayor Lahullier said we need to ask Gregory Polyniak from Neglia Engineering to put together an application for grant money for a fourteen passenger senior bus. It does not require a CDL to drive it. Even though it is a grant, the amount of \$8,430.00 is needed to put this package together.

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

Mayor Lahullier entertained a motion to send a fruit basket to Chris Assenheimer and Brian Curreri.

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

Mayor Lahullier entertained a motion to adjourn the meeting at 8:40 P.M. On motion by Bartlett, seconded by Emerson, unanimous on call of roll of those present.

APPROVED: _____
CRAIG LAHULLIER, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK