

REGULAR MEETING

April 20, 2015

A REGULAR SCHEDULED COUNCIL MEETING of the Mayor and Council of the Borough of Carlstadt was held in the Council Chambers of the Borough Hall, 500 Madison Street, Carlstadt, New Jersey on Monday, April 20, 2015 at 7:10 P.M.

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

Mayor Roseman led all present in the Pledge of Allegiance to the Flag.

Mayor Roseman – 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 7, 2015 and the Herald News on January 15, 2015 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.

READING OF MINUTES:

Mayor Roseman entertained a motion to accept the minutes of 3/8/15 Special Meeting, 3/12/15 Finance Meeting and 3/16/15 Council Meeting (Open and Closed Sessions). On motion by Lahullier, seconded by Zimmermann, unanimous on call of roll of those present.

Mayor Roseman entertained a motion to change the regular order of business to present a plaque to Erwin Fedkenheuer for his community service as the chair person for the Planning Board for 52 years.

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

Mayor Roseman presented the plaque and told the audience of his outstanding job through the years. Also the members of the Council thanked him for his service. Mr. Fedkenheuer thanked the Mayor and Council and the Borough residents for the opportunity to serve the Borough of Carlstadt.

CORRESPONDENCE:

None to be read.

REPORT OF THE MAYOR:

None.

SPECIAL REPORTS:

The Construction Official's report was read for the month of March. This report will be filed.

The Borough Clerk's report was read for the month of March. This report will be filed.

The Tax Collector's report was read for the month of March. This report will be filed.

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STANDING COMMITTEES:

FINANCE – Councilman Lenoy said we have resolutions.

CONSENT AGENDA

RESOLUTION NO. 2015-100

BE IT RESOLVED, by the Mayor and Council that the proper Borough Officials are hereby authorized and directed to make the following disbursements:

Carlstadt Board of Education	\$978,686.43
Regional Board of Education	514,970.23
County of Bergen 2 nd Quarter Taxes	1,021,000.00
County Open Space Trust Fund	12,000.00
South Bergen Municipal Joint Insurance Fund 2 nd Quarter	137,020.47

RESOLUTION NO. 2015-101

BE IT RESOLVED by the Mayor and Council that the following payments made by the Chief Financial Officer from Valley National Bank during the month of March, 2015 be ratified:

<u>Date</u>	<u>Ck #</u>	<u>Account</u>	<u>Payee</u>	<u>Amount</u>
3/17/15	500895	Current	Payroll	\$ 301,280.49
3/17/15	500896	Current	Phil Fucetola	320.00
3/17/15	500897	Current	Debora Hospital	300.00
3/19/15	500900	Current	Medical	40,000.00
3/20/15	500901	Current	Medical	40,000.00
3/23/15	500902	Current	Balco Industries	65.00
3/25/15	500903	Current	NJMVC	180.00
3/25/15	500904	Current	Medical	80,000.00
3/26/15	500905	Current	US Postal Service	2,100.00
3/26/15	500906	Current	Payroll	16,561.16
3/25/15	630	Trust	J&L Comm.	294.01
3/25/15	629	Trust	VTS – NJ	484.10

3/25/15	631	Trust	Metro Optics	186.08
3/25/15	632	Trust	Current Account	6,379.13

RESOLUTION NO. 2015-102

WHEREAS, notification was received that the following handicapped parking spaces are no longer needed and should be removed from these locations:

1. 741 Ninth Street
2. 632 Ninth Street

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the Borough Clerk notify the DPW to remove the above mentioned handicapped parking spaces and that the Police Chief remove same from the certified list of handicapped parking spaces.

RESOLUTION NO. 2015-103

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED 310 13TH ST. ASSOC., LLC V. BOROUGH OF CARLSTADT FOR TAX YEAR 2011.

WHEREAS, 310 13th St. Assoc., LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against properties listed below for tax year 2011; 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:

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- 1) The assessment for 338 13th Street, identified on the Borough's tax maps as Block 110, Lot 2 to be reduced from \$792,800 to \$700,000 for tax year 2011.
- 2) The assessment for 326 13th Street, identified on the Borough's tax maps as Block 110, Lot 3 to be reduced from \$675,000 to \$562,500 for tax year 2011.
- 3) The assessment for 308 13th Street, identified on the Borough's tax maps as Block 110, Lot 4 to be reduced from \$649,900 to \$537,500 for tax year 2011.
- 4) The tax appeal 300 13th Street, identified on the Borough's tax maps as Block 110, Lot 5 for tax year 2011 to be withdrawn by the Plaintiff.

RESOLUTION NO. 2015-104

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED DR. PEPPER SNAPPLE GROUP/YOO HOO CHOCOLATE BEVERAGE CORP. V. BOROUGH OF CARLSTADT AT 605 COMMERCIAL AVENUE, BLOCK 126, LOT 61 FOR TAX YEARS 2012 THROUGH 2014.

WHEREAS, Dr. Pepper Snapple Group/Yoo-Hoo Chocolate Beverage Corp. has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 605 Commercial Avenue and identified on the Borough's tax maps as Block 126, Lot 61 for tax years 2012 through 2014; 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 2012 to be reduced from \$ 1,815,680 to \$ 1,480,000.
- 2) The assessment for tax year 2013 to be reduced from \$ 4,014,300 to \$ 3,425,000.
- 3) The assessment for tax year 2014 to be reduced from \$ 4,014,300 to \$ 3,425,000.

RESOLUTION NO. 2015-105

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 are approved nunc pro tunc for permit #15-23 and #15-24.

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 April 10, 2015 and ending on April 10, 2016 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. 2015-106

WHEREAS, 335 PPR, LLC for premises located at 335 Paterson Plank Road, Carlstadt, New Jersey, 07072 with mailing address of 254 Tortoise Lane, Franklin Lakes, New Jersey, 07417 has made application for a person-to-person and place-to-place transfer of Plenary Retail Consumption License #0205-33-016-010 heretofore issued to CB Carlstadt, LLC, a pocket license with a mailing address of 1101 W. Waterloo Road, Edmond, Oklahoma, 73025; and

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WHEREAS, 335 PPR, LLC has filed with the Mayor and Council written consent of said transfer and the applicant has deposited with the issuing authorities the transfer fees and all other requirements of the Statutes governing the transfer of retail consumption licenses have been complied with and notice of said transfer has been published in The Record in the issues of April 4, 2015 and April 11, 2015 and a reasonable time set for objections, if any to said transfer, before the transfer is deemed effective.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt, Bergen County, New Jersey that Plenary Retail Consumption License #0205-33-016-010 heretofore issued to CB Carlstadt, LLC, a pocket license be and the same is hereby transferred to 335 PPR, LLC for premises located at 335 Paterson Plank Road, Carlstadt, New Jersey, 07072.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to execute the transfer in accordance with the provisions of the State Alcoholic Beverage Control Act.

RESOLUTION NO. 2015-107

WHEREAS, the Tax Court of New Jersey, County of Bergen issued a Civil Action Judgment in the tax appeal of TOMU Development Corp., 200 Outwater Lane, Carlstadt, New Jersey, Block 136 Lot 14 as per Docket No. 005869-2014 dated 2/20/2015 reducing the 2014 property tax assessment from \$1,300,000.00 to \$1,000,000.00; and

WHEREAS, the reduction in 2014 property tax assessment is \$300,000.00 or \$5,973.00 in 2014 property tax; and

WHEREAS, the parties having agreed that there has been no change in value or municipal wide revaluation or reassessment adopted for the tax year(s) 2015 (Freeze Act year(s), the provisions of N.J.S.A. 54:51A-8 (Freeze Act) shall be applicable to the assessment on the property referred to herein for said Freeze Act year(s). No Freeze Act year shall be the basis for application of the Freeze Act for any subsequent year.

Since the 2015 Carlstadt Tax Rate has not been approved, this Resolution shall grant the assessment reduction based on the Freeze Act for 2015 when the Final 2015 Carlstadt Tax Rate is approved and becomes official.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Carlstadt authorize the refund in the amount of \$5,973.00.

The refund shall be made payable to TOMU Development and shall be mailed to: Susan I. Solda DeSimone, Esq., McLaughlin, Stauffer & Shaklee, PC, Monmouth Shore Corporate Park, 4814 Outlook Drive, Suite 112, Wall Township, New Jersey 07753.

RESOLUTION NO. 2015-108

GMA GROUP III, LLC Plaintiff(s) V. Carlstadt and South Hackensack Township Defendant(s),
as per **DOCKET NO. 016979-2013.**

Partial CIVIL ACTION JUDGMENT

WHEREAS, a duly verified complaint having been filed with the Tax Court of New Jersey, County of Bergen to correct a mistake in tax assessment with respect to the real property listed above, as provided in N.J.S.A. 54:51A-7 and the complaint having set forth the facts constituting the alleged error in the assessment and it appearing that due notice of the complaint has been given and that the Court having considered the matter and the parties having agreed upon a settlement, the error in tax assessment is corrected as follows:

Carlstadt Borough: Block 132, Lot 9 (Washington Avenue)

WHEREAS, as per DOCKET NO. 016979-2013, the original 2013 assessment was \$7,731,300.00 and due to an error in the revaluation assessment the new Tax Court Judgment is \$2,090,000.00; and

WHEREAS, the amount of the reduction in 2013 property tax assessment is \$5,641,300.00 or \$111,810.57 in 2013 property taxes and as per DOCKET NO. 001315-2014, the amount of reduction in 2014 property tax reduction is \$5,381,300.00 or \$107,141.68 in 2014 property taxes.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Carlstadt issue a refund in over payment in the amount of \$218,952.25 (2013: \$111,810.57 and 2014: \$107,141.68) and the tax collector and the tax assessor shall adjust the records accordingly.

The refund shall be made payable to: Adam R. Jones, Esq. and shall be mailed to: Adam R. Jones, Esq., Garippa Lotz & Giannuario, PC, 66 Park Street, Montclair, New Jersey 07042.

The Carlstadt Finance Officer certifies that the funds are available to pay this property tax overpayment/Tax Appeal.

RESOLUTION NO. 2015-109

WHEREAS, the **Borough of Carlstadt** has experienced natural hazards that result in public safety hazards and damage to private and public property; and

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk; and

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WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan; and

WHEREAS, a Hazard Mitigation Plan has been developed by the Mitigation Planning Committee; and

WHEREAS, the Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS, the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law.

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

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on **April 13, 2015** by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the **Borough of Carlstadt**, minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The **Borough of Carlstadt** departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the **Borough of Carlstadt** and this resolution shall not be interpreted so as to mandate any such appropriations.
4. **The Emergency Management Coordinator** is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

RESOLUTION NO. 2015-110

BE IT RESOLVED, that the following firefighter having completed seven years of service or more on the Carlstadt Volunteer Fire Department and the Board of Officers having confirmed the length of service and his entitlement thereto, the Mayor and Borough Clerk are hereby authorized to execute the certificate of exempt fireman status in his behalf.

1. Walter Stankiewicz III

RESOLUTION NO. 2015-111

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED ECONOLIDGE MEADOWLANDS V. BOROUGH OF CARLSTADT AT 395 WASHINGTON AVENUE, BLOCK 128, LOT 35 FOR TAX YEARS 2011 THROUGH 2015.

WHEREAS, Econo-lodge Meadowlands has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 395 Washington Avenue and identified on the Borough's tax maps as Block 128, Lot 35 for tax years 2011 through 2015; 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 \$ 1,900,000 to \$ 1,390,000.
- 2) The assessment for tax year 2012 to be reduced from \$ 1,900,000 to \$ 1,515,000.
- 3) The assessment for tax year 2013 to be reduced from \$ 4,007,200 to \$ 3,900,000.

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- 4) The tax appeal for tax year 2014 to be withdrawn by the taxpayer.
- 5) The assessment for tax year 2015 to be reduced from \$ 4,007,200 to \$ 3,700,000.

RESOLUTION NO. 2015-112

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED 40 BROAD ST. ASSOC., LLC V. BOROUGH OF CARLSTADT AT 40 BROAD STREET, BLOCK 120, LOT 19 FOR TAX YEARS 2009 THROUGH 2013.

WHEREAS, 40 Broad St. Assoc., LLC has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 40 Broad Street and identified on the Borough's tax maps as Block 120, Lot 19 for tax years 2009 through 2013; 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 2009 to be reduced from \$ 3,300,000 to \$ 2,600,000.
- 2) The assessment for tax year 2010 to be reduced from \$ 3,300,000 to \$ 2,600,000.
- 3) The assessment for tax year 2011 to be reduced from \$ 3,300,000 to \$ 2,500,000.
- 4) The assessment for tax year 2012 to be reduced from \$ 3,300,000 to \$ 2,500,000.
- 5) The tax appeal for tax year 2013 to be withdrawn by taxpayer.

RESOLUTION NO. 2015-113

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. Cub Scout Pack 51/65 – Mondays, April 27, May 4, 11 and 18, 2015, Tuesdays, April 21 and 28, 2015 and May 5, 2015 and Fridays May 1, 15, 22 and 29, 2015 from 6:30 P.M. to 9:00 P.M. to have meetings.
2. Carlstadt Volunteer Ambulance Corps. – Saturday, May 30, 2015 from 10:00 A.M. to 11:00 P.M. to have a Tricky Tray/Beefsteak.
3. Senior Friendship Club – Wednesday, April 22, 2015 from 8:30 A.M. to 5:30 P.M. to have a meeting.

Borough Hall Lobby

1. Carlstadt Soccer League – Tuesdays and Wednesdays, April 28 and 29, 2015, May 19 and 20, 2015 and June 10, 2015 from 6:30 P.M. to 8:30 P.M. for registrations.

Borough Hall Council Chambers

1. Carlstadt Little League – Friday, April 3, 2015 from 5:30 P.M. to 8:30 P.M. to have pictures taken.
2. Borough Safety Committee – Friday, May 1, 2015 from 7:00 P.M. to 9:00 P.M. to hold a Hazardous Communications/Right to Know Training Class.

RESOLUTION NO. 2015-114

RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL ENTITLED NASH REALTY PARTNERSHIP LP V. BOROUGH OF CARLSTADT AT 801 WASHINGTON AVENUE, BLOCK 131.01, LOTS 4 & 5 FOR TAX YEARS 2013 THROUGH 2015.

WHEREAS, Nash Realty Partnership LP has filed action with the Tax Court of New Jersey against the Borough of Carlstadt challenging the tax assessed against property located at 801 Washington Avenue and identified on the Borough's tax maps as Block 131.01, Lots 4 & 5 for tax years 2013 through 2015; 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 year 2013 to be reduced from \$ 7,242,800 to \$ 6,741,605.
- 2) The assessment for tax year 2014 to be reduced from \$ 7,242,800 to \$ 6,741,605.
- 3) The assessment for tax year 2015 to be reduced from \$ 7,242,800 to \$ 6,741,605.

Mayor Roseman entertained a motion to approve the Consent Agenda. On motion by Lenoy, seconded by Lahullier, unanimous on call of roll of those present.

POLICE – Councilman Lahullier read his report for the month of March. This report will be filed.

FIRE/AMBULANCE – Councilman Bartlett read his reports for the month of March. These reports will be filed.

PUBLIC WORKS/PROPERTY – Councilman Stoltz read his report for the month of March. This report will be filed.

PLANNING – Councilman Lenoy read his report for the month of March. This report will be filed.

ZONING – Councilman Lahullier read his report for the month of March. This report will be filed.

STREET LIGHTING – In the absence of Councilman Emerson, Councilman Stoltz reported progress.

HEALTH – Councilman Bartlett reported progress.

RECREATION – In the absence of Councilman Emerson, Councilman Zimmermann read the report for the month of March. This report will be filed.

BOROUGH EQUIPMENT – Councilman Zimmermann read his report for the month of March. This report will be filed.

RECYCLING – Councilman Stoltz read his report for the month of March. This report will be filed.

PROJECTS – Councilman Zimmermann read his report for the month of March. This report will be filed.

REPORTS OF SPECIAL COMMITTEES:

There were no reports of special committees.

READING OF BILLS:

RESOLUTION NO. 2015-115

BE IT RESOLVED by the Mayor and Council of the Borough of Carlstadt that the following bills having been approved by the Finance Committee are approved herewith for payment:

CAPITAL ACCOUNT

Adam R. Jones, Esq. (Tax Appeal/Refund)	\$	218,952.25
Tomu Development (Tax Appeal/Refund)		5,973.00
Morpho Trak, LLC		39,103.55
MTC Kenworth, Inc.		161,622.00
Neglia Engineering Associates		449.50
Smith-Sondy Asphalt		26,900.00
Stateline Fire & Safety		9,625.00

TRUST ACCOUNT

Borough of Carlstadt		100.00
Semel's Embroidery, Inc.		1,980.00
Treasurer State of New Jersey		7,741.00
Foley Cat, Inc.		7,500.00
Remington & Vernick Engineers, Inc.		897.00
Current Account		592.12
Department of Children & Families Services		350.00
Neglia Engineering Associates		1,049.30

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DOG WARDEN TRUST

NJ Department of Health & Senior Services	59.40
Tyco Animal Control Services	766.66

CURRENT ACCOUNT

ABLE TEX	925.00
ACTION RUBBER & INDUSTRIAL	1,377.00
ALL INDUSTRIAL-SAFETY PRODUCTS	436.95
AMERICAN PAPER SUPPLY	1,637.51
A.N.D. SERVICE	423.80
ARAMARK UNIFORM SERVICES	710.88
ARROW ELEVATOR INC.	145.00
ASSENHEIMER, CHRISTOPHER	200.00
BALCO INDUSTRIES	193.00
BELLA PIZZA	306.00
BELLAQUA INC.	222.25
BERGEN MUNICIPAL EMPLOYEE	16,209.00
BERGEN COUNTY UTILITIES AUTHORITY	202,372.00
BERGEN COUNTY HARLEY-DAVIDSON	874.48
BEVERLY FAIST	36.00
BEYER FORD	35,558.43
BEYER BROTHERS CORP.	105.00
BOBCAT OF NEW JERSEY	88.08
BRAEN STONE INDUSTRIES, INC.	3,574.25
CARLSTADT FIRE DEPARTMENT	6,350.00
CARLSTADT BOARD OF EDUCATION	978,686.43
CENTER FOR OCCUPATIONAL MED.	100.00
CHEEMA OIL CORPORATION	3,187.54
CHEM-TEC	380.00
CHRISTOPHER GARVIN, ESQ.	600.00
CLIFFSIDE BODY CORP.	1,840.38
COMCAST	302.83
CONTINENTAL FIRE AND SAFETY	268.00
COPYTEXT, INC.	3,450.00
COUNTY OF BERGEN	1,021,000.00
COUNTY OPEN SPACE TRUST FUND	12,000.00
CREATIVE PRODUCT SOURCE	280.78
DAVID F. CORRIGAN	3,180.00
DELUXE SALES & SERVICE	998.70
DENISE OEHLMANN	108.00
DMK APPAREL	990.00
DRAGER SAFETY DIAGNOSTICS, INC.	267.00

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DR. BENITO GARSON	250.00
EAGLE EQUIPMENT, INC.	78.97
EDMUNDS & ASSOCIATES, INC.	600.00
THE CHOI LAW GROUP LLC	5,599.58
FOSTER AND COMPANY INC.	338.32
FRED VON BARGEN	2,600.00
GANN PUBLISHING, CO.	157.00
GARBARINI & CO.	14,500.00
GARY J. CUCCHIARA, ESQ.	187.50
GATES FLAGS AND BANNER	1,160.20
GRAINGER	405.08
G.T.B.M., INC.	2,595.32
HARRIS UNIFORMS	172.00
HEDIGER'S FUEL OIL, INC.	7,021.16
HOMETOWN AUTO PARTS	391.68
HUDSON TIRE EXCHANGE	3,264.42
IDA	61,218.83
IMPESSIVE PRINTING	322.11
JOHNNY ON THE SPOT, INC.	135.00
JOSEPH R. DONAHUE, LLC	7,787.50
JULIO C. RODRIGUEZ	80.00
KAY PRINTING	243.26
KORSEN'S CARPET CLEANING	3,719.00
LANGUAGE LINE SERVICE	61.08
MARIO'S LOCKSMITH	182.50
MASTERMAN'S LLP	74.26
MCNERNEY & ASSOCIATE	4,150.00
MEADOLANDS DINER	107.02
MEADOWLANDS HARDWARE	673.75
MEDICAL BENEFITS ACCOUNT	30,000.00
METRO FIRE & SAFETY EQUIP.	1,130.30
MGL PRINTING SOLUTIONS	95.50
MORTON SALT INC.	9,968.38
MOTOROLA	53.60
MSI TECHNOLOGIES, LLC	1,725.00
NARITA MARAJ LLC	1,132.50
NASSOR ELECTRICAL SUPPLY	159.00
NEGLIA ENGINEERING ASSOCIATES	2,343.60
NEXTEL COMMUNICATIONS	77.82
NICK'S TOWING SERVICE	325.00
NJ FIRE EQUIPMENT CO.	3,906.17
NJ PLANNING OFFICIALS	155.00

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NORTH JERSEY MEDIA GROUP INC	304.55
NORTH JERSEY TRUCK CENTER, INC.	634.62
P&A AUTO PARTS	1,350.00
PAC TOOL & SUPPLY CO	28.00
PASQUALE & DELEASA, LLC	8,575.00
PAYROLL ACCOUNT	123.01
PERSONAL PROTECTION CONSULTANT	299.00
PINNACLE	300.00
PLAID MOTORS	12,484.08
PRESTI, ROSARIO JR., ESQ	1,219.89
PROGRESSIVE BRICK, CO.	397.00
PSE&G	26,724.35
RAINBOW CLEANERS	1,695.00
RE-TRON TECHNOLOGIES, INC.	371.53
REGAL STAMP CO	75.50
REGIONAL BOARD OF EDUCATION	514,970.23
REMINGTON & VERNICK	138.00
RIEDEL SIGN CO., INC.	2,025.00
RITCHIE, DENNIS	5,416.66
ROBERT T. REGAN ESQ.	2,752.80
ROGUT MCCARTHY TROY, LLC	1,900.00
SAFELITE FULFILLMENT, INC.	398.96
SCHUMACHER CHEVROLET	1,159.19
SHERWIN WILLIAMS, INC.	589.84
SIRCHIE FINGERPRINT LAB	73.57
SO. BER. MUNC. JT. INS. FD	137,020.47
SOL'S INTERPRETING SERVICE	150.00
SPAULDING MFG., INC.	1,251.70
STAN'S SPORT CENTER	16,813.50
QUALITY AUTO MALL	1,511.45
STAPLES BUSINESS ADVANTAGE	1,793.09
STATE TOXICOLOGY LABORATORY	135.00
SWANA	74.00
THE TERRE CO.	482.00
T&R ALARM SYSTEMS, INC.	1,294.50
TRANSUNION RISK & ALTERNATIVE	2.25
TREASURER STATE OF NEW JERSEY	450.00
TREASURER STATE OF NEW JERSEY	409.00
UNITED WATER NEW JERSEY	14,255.73
ADPP ENTERPRISES INC.	3,082.18
VAN DINES	1,137.65
VERIZON	4,992.61

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VERIZON	309.98
VERIZON WIRELESS	1,947.89
VFIS	3,245.76
WAGNER TOURS, INC.	775.00
WALLINGTON PLUMBING	139.85
WASTE MANAGEMENT OF NJ INC.	14,376.15
921-PRAXAIR DIST MID-ATLANTIC	117.81
WILLIAM DERMODY PUBLIC LIBRARY	30,000.00
WILFRED MAC DONALD, INC.	2,171.71
PAYROLL ACCOUNT	301,280.49
PHIL FUCETOLA	320.00
DEBORAH HOSPITAL FOUNDATION	300.00
PAYROLL ACCOUNT	288,810.36
MEDICAL BENEFITS ACCT.	80,000.00
PAYROLL ACCOUNT	3,836.09
CARLSTADT LITTLE LEAGUE	4,000.00
MEDICAL BENEFITS ACCT.	24,000.00
PAYROLL ACCOUNT	137.35
MEDICAL BENEFITS ACCT.	45,000.00
PAYROLL ACCOUNT	15,507.77
PAYROLL ACCOUNT	278,547.19
MEDICAL BENEFITS ACCT.	70,000.00
TOTAL	\$ 4,402,216.01
TOTAL BILLS FOR THE MONTH	\$ 4,885,876.79

The Chief Financial Officer certified there are sufficient funds available for payment of the afore mentioned bills.

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

UNFINISHED BUSINESS:

Mayor Roseman entertained a motion to approve the Remington and Vernick analysis proposal for preparation of a new Housing Element and Fair Share Plan for senior housing not to exceed \$22,800.00. On motion by Lenoy, seconded by Zimmermann, unanimous on call of roll of those present.

HEARING OF CITIZENS:

Barbara O'Connor, 310 Broad Street – mentioned to the Mayor and Council that an engineer from the County came to the Historical Society meeting to discuss putting sidewalks in on Washington Avenue by the cemetery. The Mayor said a notification should be sent to the Mayor and Council for their consideration.

A discussion took place on what needs to be done in order for the town to preserve the cemetery.

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RESOLUTION NO. 2015-116

WHEREAS, the County of Bergen is seeking to obtain Federal grants for various roadway and street improvements throughout the County; and

WHEREAS, the County of Bergen is desirous to use a portion of the grant monies for the installation of sidewalks, a retaining wall, and other improvements (the "project") along Washington Avenue, in the Borough of Carlstadt at or near Block 126, Lots 46 and 47, to allow for safe pedestrian passage; and

WHEREAS, an area designated for the project by the County of Bergen located within the Borough of Carlstadt, abuts the historically significant Outwater Cemetery for which all affected parties believe measures should be taken to ensure the Cemetery is not disturbed by the proposed improvements; and

WHEREAS, the existing Washington Avenue right of way is not of sufficient width to support the proposed project and will therefore cause said improvements to be partially on the Outwater Cemetery property; and

WHEREAS, the County of Bergen has taken some measures to insure graves located within the Outwater Cemetery will not be disturbed, including but not limited to reviewing the Historical Inventory Report from the Bergen County Historical Commission; and

WHEREAS, the Borough of Carlstadt is concerned there may be unmarked graves not listed in the Historical Inventory Report and wishes that further measures to be taken by the County of Bergen to ensure the Cemetery and graves are not disturbed.

NOW, THEREFORE BE IT RESOLVED by the governing body that the Borough of Carlstadt approves of the planned project subject to the following:

1. Prior to the commencement of the project, the County of Bergen is to undertake "soundings" and other onsite physical inspections which may be reasonably required, on and about the area of the planned project to further insure there are no potential unmarked graves which would be disturbed by the proposed project.
2. Prior to the commencement of the project, the results of the "soundings" (and other inspections) shall be shared with the Borough of Carlstadt and the Carlstadt Historical Society for review and approval. Once received, the Borough of Carlstadt will advise Bergen County whether the results are acceptable and the project may proceed or whether additional testing will be required.

Mayor Roseman entertained a motion to draw and approve a resolution to send to the County to do a sounding at the Washington Avenue cemetery. On motion by Lahullier, seconded by Stoltz, unanimous on call of roll of those present.

Alex Jakulevicius, 611 Monroe Street – mentioned to the Mayor and Council that a couple of years ago he came to a meeting and he was told that at the intersection of Fritsch Avenue and Monroe Street potholes were going to be repaired and now with the amount of buses traveling every day, the potholes are bigger and also the noise of the brakes trying to avoid that intersection is terrible. He asked if there is anything the Mayor and Council can do to change the route of those buses. The Mayor said New Jersey Transit is aware of the situation but they said there's nothing they can do with the noise of the brakes. Also Mayor Roseman said they are going to do a pavement project together with Wood-Ridge to fix the Monroe Street and Fritsch Avenue intersection.

Frank Kelly, 622 Monroe Street – asked the Mayor and Council who is responsible for the street sinking on Monroe Street and Fritsch Avenue. Mayor Roseman said he doesn't know if it was United Water or PSE&G. He said the town should make whoever dug the street responsible for the repairs. He also commented on a cable that is sticking out by his property on Fritsch Avenue that is still not fixed and he has been complaining about it for a long time.

Melissa Dunn, 413 First Street – asked the Mayor and Council for any updates on the project by The Balcony Restaurant. Mayor Roseman said the monitor appointed by the courts to oversee COAH, Mr. Regan, will be attending a meeting in May. She also asked if The Balcony is going to replace their fence that was damaged by them. Zoning Official, Thomas Cox said that The Balcony Restaurant owners are not responsible for their fence since it happened when they had the fire in their house. Also Mrs. Dunn showed the Mayor and Council an advertisement from The Balcony charging a cover charge of \$10.00 for an event which they are not allowed to do since they are not a night club. Mayor Roseman said he will talk to the Police Chief about it.

CONSIDERATION OF ORDINANCES:

None.

MISCELLANEOUS & NEW BUSINESS:

None.

Mayor Roseman entertained a motion to adjourn the meeting at 8:05 P.M. On motion by Lahullier, seconded by Stoltz, the meeting was unanimously adjourned.

APPROVED: _____
WILLIAM ROSEMAN, MAYOR

ATTEST: _____
CLAIRE FOY, BOROUGH CLERK